



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, DECEMBER 19, 2018 – 6:30 P.M.**

**Cumulative**

<b>Board Members</b>	<b>Attendance</b>	<b>June 2018-May 2019</b>	
		<b>Present</b>	<b>Absent</b>
Catherine Maus, Chair	P	6	1
Howard Elfman, Vice Chair	A	5	2
John Barranco	P	6	1
Brad Cohen	A	5	2
Mary Fertig	P	6	1
Jacquelyn Scott	P	7	0
Jay Shechtman	P	7	0
Alan Tinter	P	5	2
Michael Weymouth	P	7	0

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

**Staff**

Shari Wallen, Assistant City Attorney  
Karlanne Grant, Urban Design and Planning  
Jim Hetzel, Urban Design and Planning  
Yvonne Redding, Urban Design and Planning  
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

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

Chair Maus called the meeting to order at 6:30 p.m. and all recited the Pledge of Allegiance. Jim Hetzel of Urban Design and Planning introduced the Staff members present.

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

**Motion** made by Ms. Scott, seconded by Mr. Weymouth, 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.

#### IV. AGENDA ITEMS

##### Index

<u>Case Number</u>	<u>Applicant</u>
1. PL16008**	Gummakonda Properties, Inc.
2. R1703**	Gummakonda Properties, Inc.
3. R17037**	Florida Power & Light
4. R17057**	94-96 Hendricks Isle, LLC
5. R17065**	EMPI LLC
6. R18065**	Dev Motwani
7. R17076**	Marie C. Curtis Q Tip / 912 Victoria, LLC

##### **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.

Chair Maus noted that Items 1, 2, and 3 have been withdrawn by the Applicants. Assistant City Attorney Shari Wallen advised that the Applicants for Items 4 and 7 have requested deferrals.

**Motion** made by Ms. Scott, seconded by Mr. Tinter, to defer Item 4 to February 20, 2019. In a voice vote, the **motion** passed unanimously.

**Motion** made by Mr. Tinter, seconded by Ms. Fertig, to defer Item 7 to January 16, 2019. In a voice vote, the **motion** passed unanimously.

<b>5. CASE:</b>	<b>R17065</b>
<b>REQUEST: **</b>	Site Plan Level III Review: 86 room Assisted Living Facility
<b>APPLICANT:</b>	EMPI LLC.
<b>PROJECT NAME:</b>	Serenity
<b>GENERAL LOCATION:</b>	1169 NE 4 <sup>th</sup> Avenue

<b>ABBREVIATED LEGAL DESCRIPTION:</b>	PROGRESSO 2-18 D, Block 143, Lots 1 – 5, Less E 10 for Street
<b>ZONING DISTRICT:</b>	Community Business (CB)
<b>LAND USE:</b>	Commercial
<b>COMMISSION DISTRICT:</b>	2 – Steven Glassman
<b>CASE PLANNER:</b>	Yvonne Redding

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Disclosures were made at this time.

George San Juan, representing the Applicant, showed a PowerPoint presentation on the item referred to as the Serenity project, which is an assisted living facility proposed for NE 4<sup>th</sup> Avenue and 12<sup>th</sup> Street. Traffic enters from 12<sup>th</sup> Street and the front door is centered on the parking lot. He showed a rendering of these details, as well as a loading zone, one-way exit onto 4<sup>th</sup> Avenue, and first floor plan.

Mr. San Juan explained that the first floor features several amenities, including a 32-seat theater and a multipurpose room which could serve community functions. The Applicant determined that there is an unmet demand for assisted living and memory care beds within five miles of the site.

The second floor of the building will serve as a memory care unit, with 22 rooms, activity space, demonstration kitchen, and other amenities. The third and fourth floors are for assisted living. The fifth floor includes spaces for socializing, and the sixth floor features dining space for residents and a full commercial kitchen. The rooftop will include a pool and trellises to provide shading for a yoga/exercise area.

Yvonne Redding, representing Urban Design and Planning, stated that the Serenity facility has complied with sections of the ULDR that address social service residential facilities (SSRFs), including parking, loading zone, conditional use, adequacy, and neighborhood compatibility requirements.

Chair Maus noted that the proposed project abuts a single-story residential property to the west. Ms. Redding confirmed this, clarifying that the residential property is in a different zoning district from the Serenity project. Neighborhood compatibility requires a 10 ft. buffer yard between the project and any asphalt or pavement. If a building is over 100 ft. in height, a stepback of 40 ft. is also required; however, because the proposed building is so close to the right-of-way, the stepback does not apply in this case. The parking lot and landscape buffer meet the buffer requirements, and the Applicant is working with neighboring properties to determine if a wall will be added.

Ms. Redding continued that the South Middle River Civic Association has provided a letter of recommendation for the project. The letter is included in the members' backup materials.

Mr. Tinter asked how movement to and from the second floor is controlled in order to assist residents in memory care. George Mueller, also representing the Applicant, explained that elevators will include security codes so residents cannot access the elevators unassisted. Stairwells will also be equipped with security codes. The Applicant is also working with a company that constructs state-of-the-art hinges for all rooms on all floors. The facility will include security cameras.

Mr. Tinter commented that he did not see plans for nurses' stations on any floors. Mr. Mueller advised that these stations are no longer standard: medical records are kept on personal electronic devices and all medications come from a single space. In the event of an emergency, all personnel are notified via cell phone.

Mr. Tinter noted that the second floor is referred to as a memory care center, while other floors are assisted living facilities. He pointed out that the Application requests only 35 parking spaces rather than the 79 spaces that would be required by Code. Ms. Redding replied that a parking reduction may be granted based on multiple factors, including but not limited to:

- Proximity to mass transit
- Location of residential employment centers
- Residential ownership
- Facility visitation policies

At the request of the City's Department of Transportation and Mobility, the site plan includes provisions for bike racks to further mitigate the parking request. The Applicant has met with this Department, where it was determined that the proposed type of use is similar to that of a nursing home. Consequently, that is the type of traffic count taken.

Mr. Tinter observed that the need for parking for an assisted living facility is typically 0.4 to 0.5 parking spaces per unit, which would require approximately 40 to 50 parking spaces at the subject site. This would still represent a reduction of the parking requirement associated with SSRFs, although it would be less of a reduction than requested by the Applicant. He concluded that he did not feel 35 spaces would be sufficient for the site due to visitors and employees.

Mr. Tinter also addressed trip generation, stating that the traffic study estimates the number of visitors and staff members anticipated each day rather than using trip generation calculations specifically for assisted living facilities and continuing care facilities. These calculations would indicate there are significantly more trips per day to and from the facility. The Staff Report also does not raise the issue of the future reduction of 4<sup>th</sup> Avenue from four to two lanes, which will make the impact of traffic in the area even greater.

Ms. Redding advised that a traffic statement is generated if the site exceeds 1000 trips per day, which the proposed project is not expected to do. Mr. Tinter asserted that a traffic engineer should certify the fact that the site will not generate 1000 trips per day. Ms. Redding explained that a traffic study was provided to the Department of Transportation and Mobility at the beginning of the Development Review Committee (DRC) process; however, it did not advance further through this process due to the determination that the project would generate fewer than 1000 trips per day.

Mr. Tinter pointed out that the project is located on a state road, which would require a letter from the Florida Department of Transportation (FDOT) certifying they did not take issue with the project's exit onto that roadway. Ms. Redding confirmed that FDOT accepted the project, as its exit would not contribute to "stacking" due to its distance from two nearby intersections.

Mr. Barranco asked if the generator included in the plans would provide 24 hours' worth of power to the entire building. Mr. San Juan confirmed that the generator would comply with the most recent state requirements for length of generator service. The facility will also have an underground fuel supply.

Ms. Scott also addressed parking, asking how many clients and staff are anticipated at the facility. Mr. Mueller clarified that residents will not have their own vehicles. He continued that in a nursing home, there is almost one staff member per resident; however, this ratio decreases to less than one-third staff member per resident in an assisted living facility such as the Serenity project. Because there will be roughly 86 units, the total number of employees for all shifts is estimated at 40 to 45. It is unlikely there would be more than 20 to 25 staff members on the premises per shift.

Ms. Scott asked if the requested parking reduction is considered sufficient for shift changes. Mr. Mueller replied that most employees will be certified nursing assistants (CNAs), many of whom are expected to use public transportation. Carpooling among staff will also be encouraged.

Chair Maus asked if visiting physicians are expected to come and go from the site as well. Mr. Mueller stated that there will be one physician in charge of the facility, who will act as a consultant, as well as a podiatrist who may visit on a bi-weekly basis. Wellness centers within the facilities will be run by licensed practical nurses (LPNs).

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.

Mr. San Juan advised that the Applicant has incorporated a good deal of neighborhood input into plans for the project, including large sidewalks and enhancements to elevations. He felt the neighborhood has embraced the project.

**Motion** made by Ms. Fertig, seconded by Ms. Scott, to approve with Staff conditions. In a roll call vote, the **motion** passed 6-1 (Mr. Tinter dissenting).

<b>6. CASE:</b>	<b>R18065</b>
<b>REQUEST: **</b>	Site Plan Level IV Review: Twenty-one Multifamily Residential Units with Yard Modification
<b>APPLICANT:</b>	Dev Motwani
<b>PROJECT NAME:</b>	530 N. Birch Road
<b>GENERAL LOCATION:</b>	530 N. Birch Road
<b>ABBREVIATED LEGAL DESCRIPTION:</b>	BIRCH OCEAN FRONT SUB 19-26 g Block 2, Lot 2 and 3
<b>ZONING DISTRICT:</b>	North Beach Residential Area (NBRA)
<b>LAND USE:</b>	Central Beach Regional Activity Center (C-RAC)
<b>COMMISSION DISTRICT:</b>	2 – Steven Glassman
<b>CASE PLANNER:</b>	Yvonne Redding

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Mr. Hetzel clarified that there was a discrepancy in the information provided by other government agencies, including the Broward County Property Appraiser's website and state licensing agencies, regarding the number of units in this project. The number of rooms has been corrected from 14 to 16. Corrections have also been made to the conditions listed in the Staff Report.

Disclosures were made at this time.

Robert Lochrie, representing the Applicant, stated that the request is for Site Plan Level IV approval for a 21-unit multi-family residential building with yard modifications. The block on which the subject property is located has split zoning: the property before the Board is zoned NBRA while the remainder of the block is zoned ABA. The site is intended to provide transition from the greater height allowed under ABA zoning to the lower height in NBRA districts.

The project's parking will be contained on the two first floors of the building and will be covered on top and surrounded by screen walls and landscape screens. The ground floor will contain active uses, including amenity space, a lobby, and a lounge for residents. Cars may drop off and pick up residents on the site without blocking the street.

The ground floor landscape plan includes enhanced sidewalks and landscaping treatment all the way around the property. The 20 ft. setback to the east provides space between the two properties and serves as a dog park for residents of the proposed building. Both plans have been approved by the neighboring property to the east.

The project meets all requirements for height, landscaping, and open space. The parking requirement is exceeded. The patio deck includes a number of amenities for residents and fully covers the garage. Units increase in size as the building's floors go up. Units will include balconies and terraces, and the roof deck will be active space.

The minimum required setbacks throughout the building increase with the building's height, which means the building mass is set back 35 ft. from the property line on the north side, 65 ft. on the south side, 25 ft. on the west, and 30 ft. on the west.

Mr. Lochrie noted that on the ground floor level, seven parking spaces are designated for guests. Three of these spaces will include charging stations. Residents with electric cars will have the opportunity to request additional hookups in their spaces. The garage will include a gate separating the guest area from the residents' parking area; however, this amenity is within the building in order to prevent stacking on the street.

The project was presented to the Central Beach Alliance (CBA) on three occasions, including two presentations to the general membership and one to the CBA's board. At the most recent meeting, the CBA voted 172-3 in favor of the project. The Applicant has reviewed the Staff Report and agrees with the conditions presented therein.

Chair Maus asked if the seven guest parking spaces are included in the total provision of 48 spaces. Mr. Lochrie confirmed this, explaining that some of the guest spaces are tandem spaces including lifts. Residents will be assigned specific parking spaces at the time they purchase their units.

Ms. Redding of Urban Design and Planning stated that the project has complied with adequacy and neighborhood compatibility requirements for the Central Beach District. Staff has corrected the previous discrepancy regarding the number of units planned for the site, which necessitated adjustment of the parking and trip counts.

The conditions of approval were amended by correcting the archaeological shovel test survey requirement, which are included in the Staff Report.

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. Tinter, to approve with Staff conditions. In a roll call vote, the **motion** passed 7-0.

**V. COMMUNICATION TO THE CITY COMMISSION**

None.

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

There being no further business to come before the Board at this time, the meeting was adjourned at 7:18 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