

**NORTHWEST-PROGRESSO-FLAGLER HEIGHTS
REDEVELOPMENT ADVISORY BOARD
REGULAR MEETING
CITY HALL**

June 28, 2006 – 3:30 P.M.
**100 North Andrews Avenue
8th Floor Conference Room
Fort Lauderdale, Florida**

Board Members	Present	Cumulative from 01/01/06	
	Absent	(P)	(A)
Phyllis Berry	P	P-3	A-1
James Brady	A	P-4	A-2
Stan Brown, Chairman	P	P-5	A-1
Jerry Carter	A	P-4	A-2
Michael Ferber	P	P-6	A-0
Mickey Hinton	P	P-2	A-0
Bradley Hubert	P	P-2	A-0
Brice Lambrix	P	P-5	A-1
Laura Mutti	P	P-6	A-0
Ella Phillips, Vice Chair	P	P-6	A-0
Marcia Barry Smith	A	P-1	A-5
Doug Sterner	P	P-1	A-0
Clare Vickery	P	P-5	A-1

Staff

Alfred Battle, Director CRA
Mina Samadi, Engineer, CRA Staff
Bob Wojcik, Planner, CRA Staff

Visitors

None

I. Call to order/Roll call.

The meeting was called to order by Chairman Brown at 3:37 P.M. The results of the roll call are listed above. A quorum was achieved with ten members in attendance.

II. Approval of Minutes – May 24, 2006 regular meeting.

A motion was made by Mr. Hubert to approve the minutes of the May 24, 2006 meeting without any further corrections, deletions or additions. The motion was seconded by Mr. Hinton. A vote was taken and the motion passed unanimously.

III. Waiver of Conflict

Mr. Battle addressed the Board, explaining this item in greater detail. He noted that as a procedural matter any time one of the CRA Advisory Board members is directly or indirectly receiving a benefit from one of the programs offered by the CRA, the CRA Advisory Board and the CRA Board must be advised and approval granted for the activity to occur. In 2005 the CRA Advisory Board identified an architectural group, BAC, to work with a number of property owners along Sistrunk Boulevard for the purpose of installing Afro-centric design elements in certain buildings. One of the buildings identified for this program, the JAB Building, the Justice for All in Broward Building, is owned by Mr. Jerry Carter. In order for Mr. Carter to participate in the façade program, it is necessary that he go through this disclosure process and request a waiver of conflict of interest by the City Commission, which requires a 2/3 vote. Mr. Battle noted that a summary of the requirements under the State Ethics Act had been provided in the backup material.

Mr. Lambrix made a motion to approve the resolution waiving any conflict of interest for Mr. Carter for his building, the Justice for All Building, to allow him to participate in the façade program as organized by the BAC Group. Mr. Hubert seconded the motion.

Chairman Brown asked for discussion. Ms. Mutti offered her opinion that this Board entertains waiting until other sources could be contacted. She noted that the code of ethics was a lengthy document and she felt more time was needed. She advised that a seminar geared to board meeting procedures and the Sunshine Law is planned for September. As this type of item will be on the agenda she suggested postponing the vote. Chairman Brown noted that at this time the Board was following the current guidelines provided for such activity. Mr. Lambrix added that this Board had already pledged support for this project. Mr. Sterner inquired if the JAB was a non-profit building. Mr. Battle answered that the entity that occupies the structure was a non-profit business, and that Mr. Carter owns the property and leases the space. Chairman Brown added that the DDA operates under the same rules as it relates to waivers of conflict. Ms. Vickery added that in her opinion the fact that board members own CRA projects

and properties does not look good, noting that she made a commitment not to put herself in that situation, but added that persons who sit on city boards that choose to own property in the CRA area are entitled to the same benefits as anyone else as long as the proper protocol is followed. Mr. Battle noted that this property was one of many that were approached as a signature building on Sistrunk Boulevard. He added that although this Board may chose to handle this item differently, staff does not see a problem and recommends the waiver be granted. Ms. Vickery inquired if there were any guarantees for a long-term commitment from the owner to preserve the investment. Mr. Battle noted that there is a recapture clause upon sale within two years with a graduating return percentage. Ms. Phillips commented that a lot of businesses were purchased before the owners became CRAAB members. Mr. Battle added that staff studies each request and is careful to watch for ethics issues.

The question was called. A vote taken and the motion passed unanimously.

Ms. Mutti added that after listening to the discussion and staff's comments she felt more comfortable with the vote.

IV. Discussion – NE 6th Street/Sistrunk Boulevard Urban Design and Building Design guidelines

Mr. Battle advised that due to the actions of the City Commission and the County Commission, Sistrunk Boulevard is going to be developed differently than was originally envisioned by this Board. He noted the need for a definitive planning document defining city codes and the regulatory processes that will be required of prospective developers. He advised that today's meeting will be the first of two. His intent is to have this Board study this document in more depth and return at July's meeting with constructive feedback so that this document may proceed to the next level.

Ms. Samadi addressed the Board with a PowerPoint presentation. The Sistrunk Boulevard/Northeast 6th Street Streetscape and Enhancement Project encompasses one westbound lane and two eastbound lanes with parking and landscaping throughout. This has been approved by both the County and City Commissions. The Urban Design Improvement Plan has three volumes: Urban design framework, Site Development Standards, and Building Design Guidelines. Volume 1 talks about the goals for revitalization and identifies the principals and strategies. It also describes and refers to the roadway cross section as it relates to the Urban Design Framework.

Volume 2 (Site Development Standards) addresses the regulatory aspect, which recommends zoning and development standards. The proposed zoning district (section 2-2) is: a) Mixed Residential (MX-R) from NW 24 Avenue to NW 15 Avenue; b) Midtown Mixed Residential/Commercial District (MX-R/C) from NW 15 Avenue to NW 9 Avenue; and c) Modified Urban Village District (UV-M) from

NW 7 Avenue to Progression Drive. Volume 2 also contains the standards for permitted uses, dimensional standards, parking and loading standards, buffers, landscaping and open space requirements, and lighting and signage.

Volume 3 (Building Design Guidelines) provides potential developers, builders, designers and property owners with guidance regarding the exterior design and building treatments. This volume includes building massing, architectural styles and details, materials and colors, and design improvements for existing structures.

The next step? Regulatory changes are required. The options for change could include zoning changes or overlay districts. Ms. Samadi informed the Board that the city attorneys have no opinion as to which option is better; it is a matter of which one we are more comfortable with.

The approval process is as follows:

1. Approval by the CRA Advisory Board.
2. Approval by the CRA Board.
3. Approval of P&Z Board.
4. City Commission final adoption.

Mr. Battle added that the information is being disseminated as it is being received.

Chairman Brown noted that the question of whether the regulatory changes needed should be a zoning issue or an overlay decision has never been properly handled. Mr. Hubert noted there is a discernable and appreciative Distinction between the two approaches and either one could be used to the best advantage of the landowner, which give s them options and opens up more incentives.

Ms. Vickery suggested changes to the formatting of the tables to include another column for the purpose of explaining the changes between the proposed and the existing details.

She also suggested giving information on the possibility of increasing the density.

In addition, the parking information should include details on the possibility of bonus parking especially for mixed us projects.

Ms. Vickery suggested the use of South Florida-based pictures in Volume 3 for the examples.

Mr. Hubert added that in order to jump-start any project you need to salt the mine or offer some sort of incentive. Mr. Battle indicated that there are a number of ways we can accomplish that while still maintaining the standard; for instance,

offering incentives for builders to keep the design and motif the same throughout a neighborhood.

Mr. Ferber inquired when this completed program will be presented to the City Commission. Mr. Battle noted that there are still several steps in the process, with P&Z being the most difficult.

Ms. Vickery inquired about the possibility of a workshop. Mr. Battle answered that the projects at this point are now driven project by project.

Mr. Lambrix inquired about the building height figures. Mr. Battle noted that nothing was reduced except for areas east of 7th Avenue, and the rational is based on current zoning. Other areas are “as they currently sit”.

Mr. Hinton added that zoning is important, and a change in zoning designations is needed. Something must be crafted that actually has a chance of working.

Mr. Lambrix expressed a desire to not see the heights diminished, feeling that the market won't support it. Mr. Battle said it is possible with the caveat that some feature or bonus will be given back in return.

Mr. Lambrix noted that in the additional use regulations the provision for drive-in facilities is not a desirable option.

Ms. Vickery noted that owners often thought they had rights that they did not actually have and that this document will be a valuable learning tool and guideline.

Mr. Sterner noted under table 3.1's permitted uses the document does not clearly state what is included under the RAC-UV. In addition under the dimensional standards, table 3.2 (2-11) he is concerned about the setback allowance, feeling that ten feet is not enough is as much as we are allowing larger buildings to be built, and keeping in mind that the street will be as is exists now. Mr. Battle noted that denser projects can be built in the area but there is limited depth to the actual block, so making the sidewalk wider may create a taller structure than preferable. Other options need to be researched for this problem. As an example of his concern, Mr. Sterner cited Andrews Avenue where the Commission has just approved a 15-story building on the northeast corner.

Mr. Sterner also expressed concern about page 2-12 in the Site Planning, where it discusses the MXR and MXRC but not the UVM. Ms. Samadi noted that that was an oversight.

Mr. Sterner questioned the use of arcades, noting that arcades can be dangerous at night. In addition he questioned why there was no off-street

parking for MXRC (2-28 on table 3.3), which Ms. Samadi acknowledged was another oversight.

Mr. Sterner then inquired what the rationale was for the UVM not requiring parking spaces for a sit-down restaurant. Ms. Samadi answered that that was a typo.

Mr. Sterner noted that at the end of Volume 2 there was discussion of signage which basically lays out the philosophy of signage but he noted that there is a lack of detail that is not found in other areas of the document. Ms. Samadi noted that the intent was to not be in conflict with other departments of the city. In order to accomplish this it is being suggested in this document that the city's guidelines be followed. Mr. Sterner expressed the opinion that this guideline should be a finished product whereby the builder doesn't have to run around gathering more information.

Mr. Battle thanked the members for their input and expressed a hope that additional feedback will be forthcoming at the next meeting.

Chairman Brown suggested an area usage pattern be included. Mr. Lambrix agreed, adding that, as an architect, he is not a fan of developing the urban fabric in the manner in which it is being suggested.

Ms. Mutti suggested a consideration be given to preconstruction agreements, price breaks, etc, that will give the buyer the ability to have more input.

V. Director's Report

Mr. Battle reiterated the fact that the City and County Commissions have accepted the 3-lane compromise on redesigning Sistrunk Boulevard between Northwest 7th Street to Northwest 19th Street. The remainder of the roadway will remain as it currently is. Chairman Brown noted there are funds available for the redesigned area, and we will have the ability to work on the rest of the boulevard at a later point in time.

Mr. Battle noted that for some years the city has been trying to acquire property around the intersection at Northeast 3rd Avenue and Northeast 6th Street for use as a park. Five parcels have been accumulated, but the church property, an important piece, was not available. Mr. Battle advised that the church has recently been put up for sale at a cost of \$1.7 million. He advised that the money is available, and also that appraisals have been done which suggest the purchase price is accurate and true to the market.

Mr. Ferber made a motion that the CRA Advisory Board strongly recommend that the CRA Board move with all due haste to execute a contract to purchase the site the church occupies to complete the park assemblage. Mr. Lambrix seconded

the motion. Chairman Brown asked for discussion. Hearing none, a vote was taken and the motion passed unanimously.

Mr. Battle advised the Board that in order to prepare the board members for the lengthy discussion that will take place at the next meeting, the budget figures for the next fiscal year will be included for preview in next month's package.

VI. Adjournment

Mr. Lambrix made a motion to adjourn the meeting. Ms. Berry seconded the motion. After a unanimous vote the meeting was adjourned at 5:05 P.M. by Chairman Brown.

Respectfully submitted,

Jody E. Lebel, Court Reporter
Notary Public