

Planning and Zoning Board Meeting
City of Fort Lauderdale
Wednesday, July 19, 2006 – 6:30 P.M.
City Hall
City Commission Chambers – 1st Floor
100 North Andrews Avenue
Fort Lauderdale, Florida

<u>Board Members</u>	<u>Attendance</u>	Cumulative 2006	
		<u>Present</u>	<u>Absent</u>
1. Pamela Adams	P	3	0
2. Edward Curtis, Vice Chair	P	7	0
3. Maria Freeman, Chair	P	7	0
4. Mary Fertig	P	6	1
5. Steve Glassman	P	7	0
6. Rochelle Golub	P	7	0
7. Mary Graham	P	2	0
8. Judith Hunt	P	6	1
9. Catherine Maus	A	6	1

Staff

Sharon Miller, Assistant City Attorney
 Greg Brewton, Planning and Zoning Services Manager
 Mike Ciesielski, Planner II
 Ella Parker, Planner III
 Anthony Fajardo, Planner II
 Sandra Goldberg, Recording Secretary

Guests

Robert Lochrie	Gus Carbonell
Vickie Eckles	Heather Spencer
Nectaria Chakas	Steve Healy
Curtis MacDonald	Martin O'Boyle
Kevin Kerwin	Greg Meyer

Index

<u>Case Number</u>	<u>Applicant</u>	<u>Page</u>
140-R-05	Aqua Lofts	<u>2</u>
49-R-06	Riverbend	<u>5</u>
11-ZR-05	CVS Site Plan Review	<u>7</u>
27-P-05	CVS Alley Vacation	

Call to Order

Chair Freeman called the meeting to order at 6:30 P.M., then proceeded to introduce the members of the Board and explain the procedure that would be followed during tonight's meeting. Assistant City Attorney Miller explained the procedure for quasi-judicial cases, the local planning board requirements, and the City's lobbying rules.

Withdrawal Requests

Mr. Brewton explained that the first four items on the agenda had been withdrawn by the applicants.

Approval of Minutes

Ms. Adams noted that her inquiry regarding community outreach for one of the cases heard at their June hearing should be included in the minutes. Mr. Glassman noted that Mr. McCulla had left the Board.

Motion made by Ms. Fertig and seconded by Ms. Golub to approve the minutes of the June Meeting as amended. Board unanimously approved with Ms. Graham abstaining.

Cases

140-R-05	<u>Aqua Lofts Townhomes, LLC./Aqua Lofts</u>	Ella Parker
	Request: ** Site Plan Level III/Conditional Use For Mixed Use Development/ RMM-25/ Employment Center/40 Multi-Family Units with Flex Allocation	

Legal Lots 9,10, 11, 12, 13, 22, 23, 24, 25, 26, Block 22,
Description: Everglades Land Sales Company First Addition to
Lauderdale, according to the plat thereof, as recorded
in Plat Book 2, Page 15, of the public records of Dade
County, Florida. Together with the north 8.0 feet of a 16
foot alley lying South of and adjacent to said Lots 22,
23, 24, 25, and 26 and the South 8 feet of said 16 foot
alley lying North of and adjacent to Said Lots 9, 10, 11,
12, and 13.

Address: 800 S.E. 18 Court / 709 S.E. 19 Street

General Location: South of S.E. 18 Court, north of S.E. 19 Street,
east of Federal Highway, west of Miami Road

Chair Freeman announced that this was a quasi-judicial hearing and Board members disclosed communications they had regarding this case. All individuals wishing to speak on the item were sworn in.

Mr. Gus Carbonell, architect, explained that this was a 40-unit development. He noted that the project was very "neighborhood friendly." There were enclosed garages, a large pedestrian mall area between the two buildings for residents and two public plazas to encourage activity in the area. Mr. Carbonell explained that all units faced the street, with a landscaped courtyard in front of the units. Mr. Carbonell referred to a rendering of the project describing its situation on the street. He noted that this project was replacing an equal number of badly-designed apartment units.

Mr. Carbonell said they had changed the colors on the new rendering to be more "homey" and less bright. They would also plant larger palms than those shown in the rendering, to be more in scale with the buildings. Mr. Carbonell felt that this and other nearby new development would create a mixed style of architecture in the area that would be welcomed. Mr. Carbonell noted that this area had RMM-25 zoning, with Employment Center land use, allowing residential use. Mr. Carbonell said they had tried to retain residential heights and setbacks.

Mr. Carbonell explained to Ms. Adams that when the Employment Center land use was created, it included a requirement for a certain number of residential units. Site Plan Level Three had additional requirements for compatibility and design criteria. Mr. Carbonell confirmed that they had several neighborhood meetings and a representative from the civic association was present to speak in support of the project. They had incorporated suggestions from the neighborhood association regarding parking, pedestrian areas and landscaping into their plan.

Ms. Graham stated she had not received an SP-1 as part of her packet.

Ms. Parker stated this was a Conditional Use request for a Mixed Use Development consisting of 40 Multi-Family Units with Flex Allocation on Employment Center Land Use, zoned RMM-25. The project required allocation of 40 residential Flex Units. If the Board approved the project, Staff proposed one condition: the applicant would provide documentation of agreement with the Broward County School Board regarding public school facility impact planning through a recorded, restrictive covenant, prior to final site plan approval.

Ms. Adams if there was any allowance for "attainable" units in this project. Mr. Carbonell said there was not. He explained that these were very large units, each with its own elevator, three bedrooms and rooftop sundeck. He noted that land costs had recently skyrocketed.

Mr. Carbonell said there were four guest parking spaces on site and an additional eight on the adjacent street.

Chair Freeman opened the public hearing.

Ms. Vickie Eckles, Harbordale Civic Association, said the association had three concerns when the project was first presented in February: limited guest parking [not required by code]; insufficient landscaping and building colors. These concerns had all been addressed to the association's satisfaction, and they now approved of the project.

There being no more members of the public wishing to speak on the item, Chair Freeman closed the public hearing and brought the discussion back to the Board.

Mr. Carbonell said he felt this was a fresh, new design, "not your typical low-rise development" and a great addition to the neighborhood.

In response to a question for Ms. Golub, Mr. Carbonell detailed the specific changes made to the landscape plan in response to the neighborhood association's concerns: the three Alexander palms shown on the original plan would be replaced with two Washingtonian palms that would be 20 feet tall when planted in each unit's courtyard. Ms. Graham wanted this change reflected on the landscape plan; she was worried about the landscape fitting into the allotted space. Mr. Carbonell assured her the Washingtonians would fit, noting that the idea was to get the crown up high; there would not be any impact on the existing plan at ground level.

Ms. Graham was concerned about the parking, even though the project technically met the requirements. She also asked about where water was collected in the paved drive areas. Mr. Carbonell explained that a third of the site was devoted to landscaping, and the walkways and deck areas added an additional 10% in "open space." He explained that "yard drains" and two forty-foot wells would be utilized to dispose of rainwater. He noted that the project must be approved by the environmental office and meet other water requirements.

Motion made by Ms. Hunt and seconded by Ms. Adams to approve the request, subject to Staff recommendation and the landscape detail, parking specifications and paint changes described by Mr. Carbonell. In a roll call vote, the motion was approved 7 – 1 with Ms. Graham opposed.

49-R-06 **Riverbend Corporate Park, LLC./Riverbend Corporate Park** **Ella Parker**
Request: ** Site Plan Level III/Waterway Use/ Corporate Office
Park with Retail Uses /B-1, B-2 and County B-3 Zoning
179,957 SF Office Use & 77,040 SF Commercial Use
Legal Tracts “A” and “B” of “The R.E.B. Plat” according to the
Description: Plat thereof as recorded in P.B. 74, P. 43 of the Public
Records of Broward County, Florida; together with all
of the N.W. 2 Street Right-of-Way in said Plat; together
with a portion of the S.E. ¼ of Section 5, Township 50
South, Range 42 East, Broward County, Florida
Address: 2201 W. Broward Boulevard
General Location: North side of Broward Boulevard, between
N.W. 22 Avenue and N.W. 25 Avenue

Chair Freeman announced that this was a quasi-judicial hearing and Board members disclosed communications they had regarding this case. All individuals wishing to speak on the item were sworn in.

Mr. Robert Lochrie, representative of the owner, explained this was a request for a minor modification to the site plan. He explained that the site was subject to a development agreement between the City’s CRA and the developer. Mr. Lochrie presented a graphic describing the situation of the site. Development would comprise 179,900 square feet of office space, and 77,000 square feet of retail space in six buildings. The modification was to decrease two of the buildings’ square footage by approximately 3,000 square feet each and to increase one building by approximately 6,000 by adding a floor, with a net loss of approximately 264 square feet. Everything else on the plan would remain unchanged. Mr. Lochrie explained that the changes were in response to requirements from one of the future tenants. He added that eight additional parking spaces would be created by this change.

Ms. Parker explained that the site plan was approved at the May 18, 2005 Planning and Zoning Board meeting. Ms. Parker confirmed that the retail space would remain unchanged. This proposal was for the construction of Buildings B, C, D, E, and F and associated site improvements. Ms. Parker stated that if the Board approved the modification, Staff proposed this condition: the project would comply with the agreement for redevelopment and disposition of property between the City’s CRA and Broward Barren Inc.

Mr. Curtis noted that they were now 100 parking spaces short for the overall project, and asked if the applicant would need to come back when Building A would be constructed. Ms. Parker

confirmed that the applicant must return prior to construction of Building A, and they must meet the parking requirements for that building then. Mr. Curtis was concerned about the overall parking, and Ms. Parker said the project had met the criteria and already obtained a parking reduction for the overall requirement, but noted that this reduction was contingent upon the Board's approval of the site plan. The change requested this evening included the addition of eight parking spaces.

Mr. Brewton explained that the plan met all minimum requirements prior to its submission to the Board. The parking requirements and reduction had already been approved and therefore met code. The Board could address parking design and location in its review, but not the number of spaces.

Ms. Graham asked how the landscape island requirements were affected by the parking reduction. Ms. Parker said the landscape representative had reviewed the specifications and signed off on the plans. Mr. Brewton explained that on very large parcels, code allowed the landscaping to be made up on the end of the parking areas or elsewhere on site, instead of breaking up the parking area every 10 spaces.

Chair Freeman opened the public hearing. There being no members of the public wishing to speak on the item, Chair Freeman closed the public hearing and brought the discussion back to the Board.

Mr. Lochrie said that the availability of nearby mass transit had been considered in obtaining the parking reduction. He noted that there was an accessible, empty, "massive" parking lot located directly east of the site, and the Tri-Rail station, which had a direct connection to the site, was located directly south, but these facts were not considered in granting the parking reduction. He added that this was also a proposed connector for new mass transit from Sawgrass to downtown.

Mr. Lochrie agreed that when they constructed Building A, they would need more parking. Mr. Lochrie said they were currently working with adjacent property owners to acquire more land to provide more parking for Building A. Failing that, they would need to build a parking garage.

Regarding Building B, Mr. Lochrie said that Building B would be "overparked" with the addition of the existing parking lot to the west. Mr. Lochrie explained that the landscaping was concentrated at the perimeter of the parking area in anticipation of the possible need for a parking garage.

Mr. Lochrie confirmed for Ms. Golub that they would plant oversized trees in the Broward Boulevard area, and full-sized palm trees.

Motion made by Ms. Hunt and seconded by Ms. Fertig to approve the request, subject to Staff recommendation. In a roll call vote, the motion was approved 7 – 0 with Ms. Adams abstaining due to a conflict.

11-ZR-05 Robert Williamson/CVS Pharmacy Store, #3285

Mike Ciesielski

Request: ** Site Plan Level IV/Rezoning RMM-25 to B-1/
Commercial Flex Allocation in Employment Center
Land Use Category

Legal Description: Lots 13,14,15,16, 20, 21,22 and 23, together with a
portion of Lots 17, 18, and 19, and the 15 foot wide
alley, Block 18, "Corrected Plat of Everglade Land
Sales Company's First Addition to Lauderdale," P.B.
2, P. 15.D

Address: 1700 South Federal Highway

General Location: SE Corner of U.S. 1 and SE 17 Street

Chair Freeman suggested they hear items 11-ZR-05 and 27-P-05 together, with two separate motions.

Chair Freeman announced that this was a quasi-judicial hearing and Board members disclosed communications they had regarding this case.

All individuals wishing to speak on the item were sworn in.

Ms. Nectaria Chakas, representative of the developer, said they proposed to rezone two lots from RMM-25 to B1 zoning, which was consistent with its underlying land use. They were also requesting that the site be allocated .3 acres of commercial flexibility acreage that was available in this Flex zone. This was consistent with the Employment Center land use, which did not outwardly permit retail sales, but did permit the allocation of flexibility acreage to the two lots. Ms. Chakas noted that the RMM-25 zoned property was currently used as a commercial parking lot. They also requested vacation of an alleyway bisecting the site; the CVS Pharmacy would be situated on this alleyway. She noted that the Florida Department of Transportation [FDOT] was pleased they would be vacating the alley because they were not pleased with the locations of the curb cuts and entrances near the intersection. She explained that to avoid creating a dead-end alley, traffic would be diverted to 17th Street to exit.

Ms. Chakas stated that all Federal Highway access points would be closed off, per FDOT requirements. They also planned to heavily landscape the perimeter of the site. Ms. Chakas presented renderings of the building, noting that they had tried to mimic the 17th Street Bridge, through the use of pillars, metal awnings, open trusses and porthole windows. The applicant has also agreed to repave and install speed bumps in that part of the alley not being vacated, and install a 6-foot wall along the residential property line.

Mr. Ciesielski reminded the Board that this project was subject to neighborhood compatibility and adequacy, and advised them to consider the applicant's narratives on these subjects. Mr. Ciesielski confirmed that there was sufficient commercial acreage in Flex Zone 55 to allow the applicant's requested .3 acres. Regarding the alley vacation, Staff had three recommendations: any costs to relocate utilities would be paid by the applicant; the applicant would resurface the portion of the east/west alley not being vacated and provide speed bumps pursuant to City Engineering standards; and to avoid dead ending the alley, the applicant would dedicate an alternate access easement through lot 23, block 18 per City engineering standards.

Chair Freeman opened the public hearing.

Ms. Vickie Eckles, Harbordale Civic Association, thanked the developer for meeting with them and listening to their concerns. She informed the Board that the civic association had suggested the alley improvements. They also appreciated the effort made with the architecture and ultimately approved the project.

There being no more members of the public wishing to speak on the item, Chair Freeman closed the public hearing and brought the discussion back to the Board.

Motion made by Ms. Fertig and seconded by Ms. Hunt to approve the alley vacation – item 27-P-05, including all conditions presented by Staff and by the Board regarding the relocation costs, alley improvements, access easement and 6-foot wall. In a roll call vote, the motion was approved 7 – 1 with Mr. Glassman opposed.

Mr. Glassman stated that even though this was private property, the zoning change was not guaranteed. He did not feel this was an appropriate spot for the pharmacy.

Ms. Fertig noted the overall positive effects of the project, and noted there had been no public input pointing out any negative effects.

Ms. Graham was concerned with the lack of documentation for the agreed-upon addenda items. She said she hadn't viewed Kimley-Horn's civil drawings to see if the alley improvements and wall were included, or if these were added after their packet was prepared. Ms. Chakas agreed to provide these documents to the City if the project were approved with that condition. She noted that the conditions were listed on the staff report.

27-P-05 Robert Williamson/CVS Pharmacy Store, #3285

Mike Ciesielski

Request: Alley Vacation/B-1 and RMM-25

Legal Description: That portion of the 15' wide alley running east and west and abutting Lots 13, 14, 15, 16, 19, 20, 21 and 22 in Block 18, " "Corrected Plat of Everglade Land Sales Company's First Addition to Lauderdale", P.B. 2, P. 15D

Address: 1700 South Federal Highway

General Location: SE Corner of U.S. 1 and SE 17 Street

Motion made by Ms. Fertig and seconded by Ms. Hunt to approve the site plan approval, subject to all conditions previously discussed as noted on the Staff report. In a roll call vote, the motion was approved 7 – 1 with Mr. Glassman opposed.

6. For the Good of the City

Mr. Curtis asked about the progress Staff had made regarding Board notification of withdrawn and deferred items. Mr. Brewton said they had reviewed their process to identify possible improvements. Mr. Brewton explained that any items that were removed from tonight's agenda prior to sending the packages out were excluded from the package and notification was sent to neighborhood associations that the items would not be heard this evening. For the items that were removed at the last minute, they had sent emails to Board members notifying them.

Items that Staff felt should be deferred would be brought to the Board for approval of the deferral. Mr. Brewton explained to Mr. Curtis that if the Board refused a deferral request, the case could be heard, or the applicant could withdraw the request at the meeting. If the project plan changed, the applicant would need to go through the entire process again.

Ms. Fertig noted that in order to decline a deferral, they must have the backup in their booklet. Mr. Brewton said that if an item was presented to them for deferral, they would have that information.

Mr. Greg Meyer, Keith and Associates, said he had two items on the agenda this evening for which they requested deferral to the next meeting, but their cases were withdrawn instead. Mr. Brewton said that during meetings with the City, the architects had informed them that the application was withdrawn. Mr. Brewton confirmed that notice would be made again for deferred items.

Mr. Brewton explained that the meeting room was available on August 16 or for their EAR Workshop to occur one hour prior to their regular meeting. The Board agreed to meet at 5:30 p.m. on August 16 for the workshop.

There being no further business to come before the Board, the meeting was adjourned at 8:10 p.m.

Chair

ATTEST:

Sandra Goldberg For Jamie Opperee,
Recording Secretary

A digital recording was made of these proceedings, of which these minutes are a part, and is on file in the Planning & Zoning Offices for a period of two (2) years.
