PLANNING AND ZONING BOARD CITY HALL COMMISSION CHAMBERS – 1ST FLOOR **100 NORTH ANDREWS AVENUE** FORT LAUDERDALE, FLORIDA **SEPTEMBER 19, 2007 - 6:30 P.M.**

Cumulative	06/07-05/	80
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Board Members	Attendance	Present	<u>Absent</u>	
Edward Curtis, Chair	Р	4	0	
Pamela Adams	Α	3	1	
Mary Fertig (arrived 6:37pm)	Р	3	1	
Maria Freeman	Α	2	2	
Steve Glassman	Р	3	1	
Rochelle Golub	Р	4	0	
Mary Graham	Р	3	1	
Catherine Maus, Vice Chair	Р	3	1	
Tom Welch	Α	2	2	

<u>Staff</u> Sharon Miller, Assistant City Attorney Greg Brewton, Planning Department James Koeth, Principal Planner Ella Parker, Planning Department Adrienne Ehle, Planning Department Herb Stanley, Engineering Department Alexandra Grant, Recording Secretary, Prototype, Inc.

Index

Case Number	<u>Applicant</u>	<u>Page</u>
1. 5-P-07	Thomas Lodge	2
2. 172-R-06	Ed Morse Bayview Cadillac	2
3. 79-R-05	Stanton-Pender of Miami Road I LLC/Splash East	4
4. 114-R-05	Stanton-Pender of Miami Road I LLC/Splash West	5
For the Good of	the City	6

Call to Order

Chair Curtis called the meeting to order at 6:33 p.m. All present recited the Pledge of Allegiance.

Approval of August 15, 2007 meeting minutes.

The Board requested that actual roll call votes be specified in the minutes going forward.

Motion made by Mr. Glassman, seconded by Ms. Maus, to approve the minutes of the August 15, 2007 meeting. In a voice vote, the motion passed unanimously

<u>Cases:</u> <u>Index</u>

1. <u>DeMartini Right of Way Vacation</u> Thomas Lodge 5-P-07

Request: Vacate a Portion of NE 5 Street Right-of-Way / RS-8 /

Medium-Low Land Use

Legal Description: A portion of NE 5 Street, lying between Blocks 13 and 24,

RE-AMENDED PLAT OF A PORTION OF VICTORIA PARK, according to the plat thereof, as recorded in P.B.15, P. 52 of

the Public Records of Broward County, Florida.

Address: 500 North Victoria Terrace

General Location: Eastern Terminus of NE 5 Street

Chair Curtis stated there is a letter on file from Mr. Robert Lochrie, the applicant's attorney, requesting deferral.

Motion by Ms. Graham, seconded by Ms. Fertig, to approval deferral to October 17, 2007. In a voice vote, the Board approved unanimously.

2. Ed Morse Bayview Cadillac Adrienne Ehle 172-R-06

Request: ** Site Plan Level III Waterway Use / 6,729 Addition

to Existing Building / B-1 / Commercial Land Use.

Legal Description That part of the South 300 feet of the North ½ of the

SW ¼ of Section 36, Township 49 South, Range 42

East, lying between State Road 5 ROW and the Middle River together with that part of Government Lot 7 which lies east of the east ROW line of US 1, less the south 903.85 feet thereof, as measured at right angles. Said lands situate, lying and being in Fort Lauderdale, Broward County, Florida.

Address: 1240 North Federal Highway

General Location: On the East side of Federal Highway between NE 13

Street and Sunrise Boulevard

Ms. Miller explained the rules of the quasi-judicial hearing process and swore in those who would testify.

Board members disclosed communications they had regarding this case.

Grant Smith, 1201 SE 5 Court, Fort Lauderdale, 33301, on behalf of the applicant, gave a brief overview of the site along with site plan illustrations. He advised that he met with the Point East Condo Association who had no objections to the application. Also, the received correspondence from the president of the Coral Ridge Neighborhood Association stating no objections.

Mr. Smith explained that the applicant plans to demolish the two-story, 9,800 s.f. administrative building and replace it with a 6,500 s.f. addition to the showroom and service drive. Mr. Smith stated that landscaping that will be consistent with City Code. He added that the landscape behind the property is being brought up to Code.

Mr. Smith stated that circulation on the new site will be greatly improved and views from the street will be much more pleasing. He spoke of the Morse family's presence in the City since 1968 and of their commitment to beautifying the site.

Adrienne Ehle, of the Planning & Zoning Department, clarified that the site plan actually proposes a 6,729 addition. Ms. Ehle stated that with regard to potential impacts on the waterway and neighborhoods east of the Middle River, documents related to the City's special magistrate findings are provided as exhibits. She also stated the site is subject to waterway use requirements.

Chair Curtis opened the public hearing.

Ms. Graham commented that some of the backup documents date back to 2006 and asked if hurricane damage was involved. In response, Ms. Ehle said these documents

relate to a special magistrate hearing that occurred when the site was found in violation of the landscaping Code.

Mr. Smith clarified that the fence along the back of the property is expensive, decorative aluminum and not a chain link fence.

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

Motion by Ms. Maus, seconded by Ms. Fertig, to approve with staff's conditions. In a roll call vote, the motion passed as follows: Ms. Fertig, yes; Ms. Graham, yes; Ms. Golub, yes; Mr. Glassman, yes; Ms. Maus, yes; Chair Curtis, yes. (Motion passed 6-0).

3. <u>Stanton-Pender of Miami Road I,</u> LLC/Splash East

Ella Parker

79-R-05

Request: ** Request to Extend Site Plan Approval for

previously approved Site Plan Level III /

Conditional Use for Mixed Use Development with

Flex Allocation / RMM-25

Legal Description Lots 4, 5 and 6, Block 22, EVERGLADES LAND

SALES COMPANY'S FIRST ADDITION TO LAUDERDALE, according to the plat thereof, as recorded in P.B. 2, P. 15 of the Public Records of

Dade County, Florida.

Address: 1841 and 1851 Miami Road

General Location: Northwest corner of Miami Road and S.E. 19 Street

Ms. Miller swore in those who would be testifying.

Chair Curtis requested that items 3 and 4 be addressed together.

Mr. Lochrie, on behalf of the applicant, explained that initially there was one site plan for both items 3 and 4. However, staff had concerns about the request to vacate an alley. The City kept the alley which resulted in two individual projects. Mr. Lochrie stated the two projects consist of 10 townhouse units each; these were approved by the Planning and Zoning Board two years ago. Also, the applicant had received the neighborhood's support at that time. Mr. Lochrie explained the applicant is requesting a site plan

extension for an additional 6 months to pull the necessary building permit. He added that all impact fees have already been paid to the City and the County.

Ella Parker, Planner, reported that the Planning and Zoning Board approved a conditional use permit for a total of 20 units on both sides of the alley. She advised this was a single use, mixed use developments including the allocation of residential flexibility units. Ms. Parker stated the applicant is requesting a 6-month extension to March 16, 2008 to pull the building permit.

Chair Curtis asked whether any particular standards apply when an applicant requests an extension. Ms. Parker read aloud a section of the Code, defining "good cause" considerations for extension requests.

Mr. Brewton stated this Board has previously granted extensions to applicants.

Board members disclosed communications they had regarding this case.

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

Motion by Ms. Fertig, seconded by Ms. Maus, to approve the extension to March 16, 2008.

In a roll call vote, the Board approved as follows: Ms. Fertig – yes; Ms. Graham – yes; Ms. Golub – yes; Mr. Glassman – yes; Ms. Maus – yes; Chair Curtis – yes. (Motion passed 6-0).

4. <u>Stanton-Pender of Miami Road I,</u> LLC/Splash East

Ella Parker

114-R-05

Request: ** Request to Extend Site Plan Approval for

previously approved Site Plan Level III /

Conditional Use for Mixed Use Development with

Flex Allocation / RMM-25

Legal Description Lots 7 and 8, Block 22, EVERGLADES LAND

SALES COMPANY'S FIRST ADDITION TO LAUDERDALE, according to the plat thereof, as recorded in P.B. 2, P. 15 of the Public Records of

Dade County, Florida.

Address: 801 and 805 S.E. 19 Street

General Location: North side of S.E. 19 Street, between South Federal

Highway and Miami Road

Motion by Ms. Fertig, seconded by Ms. Graham, to approve to extend issuance of the permit to March 16, 2008. In a roll call vote, the Board approved as follows: Ms. Fertig, yes; Ms. Graham, yes; Ms. Golub, yes; Mr. Glassman, yes; Ms. Maus, yes; Chair Curtis, yes. (Motion passed 6-0).

5. For the Good of the City

Mr. Brewton advised that the November meeting is set for November 21 which is Thanksgiving Eve and asked if the Board wished to reschedule. The Board discussed alternate dates.

Motion by Ms. Graham, seconded by Ms. Fertig, to schedule the meeting for November 28, 2007 at 6:30 p.m. In a voice vote, the motion passed 5-1, with Ms. Golub opposed.

Mr. Brewton advised that the December meeting is scheduled to fall on a holiday. Mr. Brewton stated he will bring a calendar listing all holidays to the October meeting.

Mr. Brewton advised that staff is providing the City and the Ad Hoc Committee for the Code rewrite with a list of priorities to be addressed. He explained that some items may not require the Board's involvement; however those issues requiring a Code amendment will come before the Board for input.

Ms. Fertig requested a membership list of the Ad Hoc Committee. Mr. Brewton stated the Committee represents the majority of Homeowner Associations.

Ms. Fertig voiced concern that one constituency is labeled the Ad Hoc Code Review body, as this effort affects the entire City. She expressed her view that the City wide input is needed on the Code rewrite process and suggested that a town hall meeting be considered, especially for Planning and Zoning Board members to hear the public's concerns.

Mr. Brewton said staff was asked to identify priority items that can quickly be addressed in six months.

Ms. Maus agreed that the Ad Hoc Committee is not a fully representative group. She commented that duplex homes that look like townhouses are not required to have sidewalks. Ms. Maus asked if there is any opportunity to add such items to the list of

priorities. In response, Mr. Brewton stated sidewalks may already be in the listing of items.

Ms. Miller explained that any group of citizens can finance or fund an effort and that staff was not involved in this until directed by the City Commission. She stressed that this is not a City committee but a private group who got the Commission's attention.

Chair Curtis asked what authority groups have when they are not City sanctioned.

Ms. Golub commented that it does not matter how the spark that started this process came about as felt the Committee is a good starting point.

Ms. Fertig commented that the Board has no process for bringing issues before the Commission.

Mr. Glassman voiced his concern that the Ad Hoc Committee's focus is not broad enough and agreed with the suggestion of holding a town hall public meeting.

Ms. Golub stated that with the right structure, other community groups can add to this Committee's scope of review.

Motion by Ms. Fertig, seconded by Ms. Graham, to authorize Chair Curtis to speak with the City Commission about the communication process between the Planning & Zoning Board and the Commission, and the communication process for public input. In a voice vote, the motion passed unanimously.

Adjournment

There being no	further	business	to co	ome	before	the	Board,	the	meeting	was	adjou	rned
at 7:35 p.m.												

	Ed Curtis, Chair	
Attest:		
Alexandra Grant, Recording Secretary		