

**PLANNING AND ZONING BOARD
CITY OF FORT LAUDERDALE
CITY HALL COMMISSION CHAMBERS – 1ST FLOOR
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, AUGUST 19, 2009 – 6:30 P.M.**

Cumulative

Board Members	Attendance	June 2009-May 2010	
		Present	Absent
Tom Welch, Chair	A	2	1
Catherine Maus	A	1	1
Rochelle Golub	P	2	1
Maria Freeman	P	2	1
Fred Stresau	P	3	0
Patrick McTigue, Vice Chair	P	3	0
Mike Moskowitz	P	3	0
Michelle Tuggle	P	3	0
Peter Witschen	P	3	0

Staff

Greg Brewton, Director of Planning and Zoning
 Cheryl Felder, Service Clerk
 Dennis Girisgen, City Engineer
 Frank Snedaker, Chief City Architect
 Randall Robinson, Planner II
 Thomas Lodge, Planner II
 Michael Ciesielski, Planner II
 Sharon Miller, Assistant City Attorney
 Malik Mohammed, Structural Plans Examiner
 Carol Ingold, Parks and Recreation Department
 Chantal Botting, Fire Department
 Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None at this time.

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	<u>Case Number</u>	<u>Applicant</u>
1.	7-Z-09** *	Broward County Board of County Commissioners
2.	4-P-09	City of Fort Lauderdale / Flagler Heights Park
3.	5-ZR-09** *	Riverbend South, LLC / Riverbend South I – Supervisor of Elections

4. 2-P-09 Riverbend South, LLC / Riverbend South I –
SW 26th Avenue
5. 10-Z-09** * City of Fort Lauderdale / Flagler Heights Park
6. 33-R-09** * Shepherd of the Coast Lutheran Church, Inc. /
City of Fort Lauderdale
7. Communications to the City Commission
8. For the Good of the City

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.

Call to Order

The meeting was called to order at 6:37 p.m. Roll was taken and all stood for the Pledge of Allegiance.

Vice Chair McTigue introduced the members of the Board, and Planning and Zoning Director Greg Brewton introduced the City Staff in attendance. Attorney Miller explained the quasi-judicial process used by the Board.

Vice Chair McTigue reminded those in attendance that Applicants should keep their presentations to 15 minutes or less; members of the audience representing groups should limit their comments to five minutes or less; and individuals in the audience wishing to speak should limit their comments to three minutes or less.

Motion made by Ms. Freeman, seconded by Ms. Golub, to approve the minutes of the July 15, 2009 meeting. In a voice vote, the **motion** carried unanimously.

Vice Chair McTigue noted that a request has been made to defer Item 1 until the October 21, 2009 Board meeting.

Motion made by Ms. Golub, seconded by Mr. Witschen, to approve this request. In a voice vote, the **motion** carried unanimously.

2. **City of Fort Lauderdale /** **Thomas Lodge** **4-P-09**
Flagler Heights Park

Request: **Vacation of Alley**

Legal Description:	That portion of the 15 foot alley in Block 3, *AMENDED PLAT OF BLOCKS 1, 2, 3, 4, 5, 6, 7, 8, 25, 26, 27, 28, 29, 30, 31, and 32, of NORTH LAUDERDALE, according to the plat thereof, recorded in P.B. 1, P.182, of the Public Records of Miami-Dade County, Florida. Lying north of the south line of Lot 4 of said Block 3; all less the north 20.00 feet thereof.
Address:	310 NE 6 Street
General Location:	Located on the Southeast corner of NE 6 Street and NE 3 Avenue
District:	2

Frank Snedaker, Chief Architect for the City, advised that two cases regarding Flagler Heights Park will come before the Board tonight, the first of which is an alley vacation. The City acquired five parcels for the future Park, in which an alley bisects 6th Street between 3rd and 4th Avenues and would therefore bisect the Park. The request asks the Board to recommend the City Commission that the alley be vacated.

He stated that the Board members' information packets show the alley has been terminated in a one-way access out of the alleyway onto 4th Avenue. A utility easement would be maintained underground where the alley currently exists, and all overhead wiring would be placed underground. No electrical overhead is planned for the Park.

Thomas Lodge, Planner, noted that while the City has maintained a consistent policy of not supporting requests for partial rights-of-way, this Applicant has met the criteria for 47-24.6 right-of-way vacation and is providing an access easement to sufficiently retain traffic circulation through the alley.

Should the Board approve the request, the following conditions would apply:

1. A utility easement shall be retained within the vacated segment of the alley;
2. An access easement shall be granted to retain traffic circulation through the alley.

Ms. Golub asked the Applicant to clarify some of the materials submitted in the information packet, as they discuss establishing a roundabout or an exit along the south end of the Park, although the plans included meet the Applicant's description. Mr. Snedaker explained that when the issue originally went before

the Property and Right-Of-Way Committee, a cul-de-sac terminating in the alley was proposed; PROW, however, requested that traffic be discharged onto 4th Avenue, which is the current plan.

Ms. Golub added that it is stated the easement will be vacated upon completion of the Park, and asked if there is a temporary aspect to the plan. Mr. Snedaker confirmed that if this request is approved, this specific issue would not have to come before the Board again.

As there were no further questions from the Board at this time, Vice Chair McTigue opened the public hearing.

Bill Rotella, representing the businesses at 521 NE 4th Avenue, stated the individuals for whom he is speaking were aware of the discussions regarding vacation of the alleyway; however, the owner of the property at 521 NE 4th Avenue plans to put a law office in his building, abutting the Park. He felt a road coming in from the north end of the property might have significant impact on the property value and create more traffic on 4th Avenue.

He pointed out that the individuals at his building have seen only sketches of the property and are not aware if any or how much buffering is anticipated between the building and the Park. He concluded that they object to the vacation of the alley.

Patricia Hayes, owner of the buildings on Lots 20 and 21, stated she is directly affected by the alley vacation and proposed new access easement. She distributed a handout to the Board members that shows where the alley vacation diverts traffic into her private driveway between buildings. She explained that traffic leaving the alley turns left, through her property, to reach 3rd Avenue rather than right to reach 4th Avenue. When a vehicle is in her driveway, she asserted, traffic has driven over the grass, walkway, and sprinkler system.

Ms. Hayes continued she had met with City Staff and given some input on the issue, but felt it was "incomplete." She added that a convenience store and the Chamber of Commerce are beside her property, and visitors to both buildings exit through the alley in question, both north- and southbound. She pointed out that many vehicles come to NE 6th Street to access a traffic light there, and went on to note that traffic diverting to 4th Avenue, as intended, will be "minimal," as it will use her driveway instead.

She concluded that the easement, as written, is not addressed in the information packet and should be a perpetual easement; otherwise, she stated, there is nothing to prevent the City from changing the easement as shown today. She pointed out that the park configuration has been changed "several times." Ms. Hayes requested that the City address these issues before the alley is vacated.

Vanessa Santiago Mejilla stated she owns two units at Soleil Condominiums and supports the vacation of the alley "to move the design forward of the park." She felt having a City Park in front of her building will improve the area and increase its property value.

There being no other members of the public wishing to speak on this Item, Vice Chair McTigue closed the public hearing and brought the discussion back to the Board.

Mr. Snedaker advised the City has met with Ms. Hayes on two separate occasions to attempt to address her concerns. He stated the alley is currently used as a two-way area at present; the proposal by the City would make the alley a one-way discharge, which would discourage traffic cutting through as she had described. He added that she had expressed concern about vehicles parked behind her building, and the geometry of the alley was adjusted to accommodate this issue.

With regard to Mr. Rotella's allegations, Mr. Snedaker stated this was the first time the City has heard these concerns, and may be able to provide some screening by use of landscaping between the property in question and the proposed right-of-way for the alley.

Mr. Witschen asked if the area that could be landscaped would be irrigated. Mr. Snedaker stated he could not say at this point, although if the Park is irrigated, the landscaping will be irrigated as well.

Mr. Witschen also asked if the question of perpetual easement had been addressed. Attorney Miller advised that the easement, by definition of its own terms unless otherwise stated, is perpetual, and a vacation process would be necessary to change it.

Ms. Golub stated she was unclear on an alternative to the alley in question; when a right-of-way is created leaving the alley, she asked if it will be a two-way street. Mr. Snedaker clarified that this will be "a continuation of the alley," with one-way signage appropriately placed on 4th Avenue.

He continued that the alley is currently "active," as it is used by businesses to the south; this is why a discharge has been created for the space. Two parking spaces will be provided for City maintenance vehicles, such as mowers; the rest of the parking for the Park is on-street parking in compliance with the Downtown Master Plan.

Mr. Stresau asked if the City had considered turning the alley back toward the west and exiting onto a major thoroughfare. Mr. Snedaker explained both options

were considered, and from the standpoint of overall park development, it had made more sense to keep the alley "as far south as possible" due to the parcel's configuration.

Mr. Stresau continued that Mr. Rotella's point seemed a valid one, as this would create a "fairly active road" immediately adjacent to his building. Mr. Witschen asked if estimated traffic counts had been done for this section of road. Mr. Snedaker replied this had not been studied.

Ms. Golub drew the Board's and Applicant's attention to figure SP-1, and asked to see the Lot line for Mr. Rotella's building. She noted that the City maintenance vehicles would be parking in front of the building's windows. Mr. Snedaker pointed out that no vehicles would be parked in this space "all day long."

She noted that while a "little space" would be vacated, the alley in question would "still look like an alley," as it will have a dead end near the parking spaces behind Ms. Hayes' property. In conclusion, she suggested many issues would be eliminated if the exit led toward the west instead of the east.

Mr. Stresau noted that if vehicles cut through Ms. Hayes' property at present, the vacation of the alley will not significantly alter this. Ms. Golub, however, felt the vacation of the alley is changing the traffic pattern "significantly," and while the alley should be vacated to "get the park moving," she wondered if an alternative exit had been considered.

Mr. Snedaker responded that this had indeed been considered, but would have created a more awkward configuration for the Park. In addition, as 3rd Avenue is a County road, it had not been known whether the County would have issued the necessary permits for discharge onto that road.

He added that, with respect to Mr. Rotella's building, another entity could have purchased the abutting property and "built right to that property line."

Mr. Stresau and Ms. Golub also noted that the two parking spaces shown on one plan are not shown on another view. Mr. Rotella stated he had never seen one of the schematics in question.

Mr. Stresau asserted he was not in favor of the alley vacation as currently discussed, and would like to see City Staff review their plan. He added that should Mr. Rotella's property opt to "open up the north side" of the building to have a view into the Park, it would not be possible with the proposed alley vacation. He noted that while he was not aware of how much traffic is normally on the road in question, but felt "the last thing [Mr. Rotella] would want" would be to have two parking spaces between his property and the Park when they could possibly be relocated within the same area.

Mr. Stresau suggested deferring the issue until the next meeting to allow all interested parties to meet and have their concerns addressed.

Mr. Rotella agreed the current plan would have a significant impact on the look and value of his property. He added that not only would the traffic be vehicular, but he felt delivery, trash removal, and other large trucks would share access to the alley as well.

Mr. Stresau noted that the Board could not address people cutting through Ms. Hayes' property.

Mr. Rotella asked if Item 5 would also be deferred along with Item 2, as it was pointed out that this Item would address the re-zoning to accommodate the alley vacation. Mr. Stresau felt the two Items must both be deferred, as they affect the same piece of property. Ms. Golub agreed that while the Park is necessary and desirable, the alley cannot be vacated as proposed because the Board did not have "a clear understanding" of the City's intent in diverting traffic. She felt a clearer plan would address this issue and proposed deferring the Items until the October 21, 2009 meeting.

Mr. Snedaker advised that there are grant funding issues at stake that affect the timing of the Application.

Ms. Golub responded that she was in favor of hearing the Item at the September meeting if the parties involved "can reach a meeting of the minds" regarding their concerns.

Motion made by Ms. Golub, seconded by Mr. Stresau, to defer Items 2 and 5 until the September 16, 2009 meeting.

In a roll call vote, the **motion** carried unanimously.

3. **Riverbend South, LLC /
Riverbend South I –
Supervisor of Elections**

Randall Robinson

5-ZR-09

Request: ***

Rezoning with Flex Allocation and site plan approval / from MHP (Mobile Home Park) to CB (Community Business), including site plan on property also zoned B-1.

Legal Description

Entire Parcel:

A portion of Parcel B, all of Parcel C, amended Plat of blocks 4, 5, 6, 7 and 14 of Woodland Park – Unit 1, according to the Plat thereof, as recorded in P.B. 30, P. 45 of the Public Records of Broward County, Florida and a portion of the east one-half (E ½) of the northwest one-quarter (N.W. ¼) of the northeast one-quarter (N.E. ¼) of section 8, Township 50 South, Range 42 East, Broward County, Florida

Portion applied to be rezoned:

A portion of Parcels B and C, Amended Plat of Blocks 4, 5, 6, 7 and 14 of Woodland Park – Unit 1, according to the Plat thereof, as recorded in P.B. 30, P. 45 of the Public Records of Broward County, Florida, and a portion of the east one-half (E ½) of the Northwest one-quarter (N.W. ¼) of section 8, Township 50 South, Range 42 East, Broward County, Florida.

Address:	2400 W. Broward Boulevard
General Location:	West side of SW 24 Avenue, approximately 285' south of Broward Boulevard
District:	3

Disclosures were made, and any members of the public wishing to speak on this item were sworn in.

Robert Lochrie, representing the Applicant, noted that Items 3 and 4 address the same property: one is a rezoning and site plan approval, the other a street vacation. He asked the Board if he might address both Items simultaneously in the interest of saving time, to which the Board agreed.

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|----|--|-------------------------|---------------|
| 4. | <u>Riverbend South, LLC /
Riverbend South 1 –
Supervisor of Elections</u> | Randall Robinson | 2-P-09 |
|----|--|-------------------------|---------------|

Request:	Vacation of Right-of-Way of SW 26 Avenue between Broward Boulevard and SW 2 Street
Legal Description:	A portion of Southwest 26 th Avenue (Southwest 24 Avenue per plat), amended plat of Blocks 4, 5, 6, 7, and 14 of Woodland Park – Unit 1, according to the plat thereof, as recorded in P.B. 30, P. 45, of the Public Records of Broward County, Florida
Address:	2400 W. Broward Boulevard
General Location:	SW 26 Avenue between Broward Boulevard and SW 2 Street
District:	3

Mr. Lochrie recalled that the Riverbend project has been before the Board several times over the years, and the development team and ownership have “consistently delivered on the promises” they have made with regard to the property. He noted that its developers are also “heavily invested” in the east side of the City along the Federal Highway. He stated the Riverbend project is one of the largest development projects in the City at present.

Mr. Lochrie showed an aerial map of the property, noting in particular the southern portion, which is part of the request before the Board at this time. He noted, however, that all portions of the project are interrelated.

Over the past few years, he pointed out, the Riverbend area has been transformed through a great deal of careful planning and aesthetic improvements, including landscaping and lighting.

Historically, Mr. Lochrie noted, there have been a number of different zones on the site, including B-1 commercial and MHP, which corresponded with its old uses. Tonight’s request is to rezone an area to CB, which he described as the “most restrictive commercial district,” with site plan approval for the Supervisor of Elections, as well as vacating 26th Avenue. He explained that this street is not “going away,” but will be relocated slightly further to the east, to become the main entrance and exit of the project.

Mr. Lochrie showed a visual of the property in 2005, noting that one of the developer’s first steps was to relocate the mobile home park owners from the location. New trees and landscaping were added. He showed a current view of the property, which he described as “a perfect site for a lot of uses.” The property

will become the new headquarters for the Broward County Supervisor of Elections, which has outgrown its space in the Downtown area. This new facility would be housed on the proposed site plan before the Board within the 11-acre parcel. Features to be included are a central water fountain, a cascading waterfall, and "lifescapes." The Supervisor of Elections facility itself is 33,000 sq. ft. and houses both administrative and training offices, as well as a storage area for equipment and a parking facility. Two access points are located along 24th Avenue, one at the northern end and another primarily for deliveries during elections. The parking garage is set back 37 ft. from the curb and is buffered from the neighborhood by layers of landscaping.

Ms. Golub asked to know height of the parking garage. Mr. Lochrie estimated it is 65 ft. at the top of its stairwells, 50 ft. in actual height. He added that City Staff had attached conditions to the parking garage dealing with ways to buffer the surrounding neighborhood from the lights and sound associated with an open garage; in addition, the City has become "much more stringent" regarding its requirements for the lighting of garages, such as disallowing visible light sources in the facility. There is also some required screening included in its design. He pointed out that due to the hours of the Supervisor of Elections facility, most of the traffic in the parking garage will be within daylight hours, although the garage may be used for other development within the community.

With regard to the entrance and exit, which are located on the west side of the building, Mr. Lochrie noted there are "several ways to get in and out" in addition to these. Traffic exiting the garage can head north to Broward Boulevard or west to 27th Avenue. The main entrance and exit are the only points that allow access onto 24th Avenue on the east side, where the residential neighborhood abuts the development.

He added that the neighborhood had requested a masonry wall to be added on the southern portion of the development to buffer the parking garage still further. Mr. Lochrie asserted that the developer is willing to add this feature if necessary.

Ms. Tuggle asked if the facility will consolidate all the Supervisor of Elections offices. Mr. Lochrie stated he believed this to be true. Ms. Tuggle noted that during major elections, this could contribute to a "serious traffic dilemma," and wondered how traffic will be handled, as Broward Boulevard is not an appropriate place to handle deliveries. Mr. Lochrie responded that he felt this was one reason the site was attractive to the Supervisor, as the internal road network that does not affect the adjoining neighborhood would be available to the Applicant. It is another reason for the size of the garage, he noted.

At this time, Dr. Brenda C. Snipes, Supervisor of Elections of Broward County, addressed the Board, encouraging them to approve the site, as it is centrally located with easy access in and out of the area. She felt the building and function

of the site represent “access to democracy” for many of the citizens who need their services, and would allow them to increase efficiency and service to the voters of Broward County.

Randall Robinson, Planner, stated the Applicant proposes to construct a two-story, 33,000 sq. ft. building of office space and a five-story, 43,000 sq. ft. building of inventory space and a parking garage. The Applicant is also requesting the vacation of Southwest 26th Avenue between Southwest 2nd Street and Broward Boulevard.

As there were no further questions from the Board at this time, Vice Chair McTigue opened the public hearing.

Virgil Niederriter, President of the Riverland Civic Association, declared this organization has presented at their meetings for five months; the Association’s Board of Directors has met and canvassed the neighborhood, and have learned that the residents do not want the proposed streets entering into 24th Avenue, as it would bring too much traffic into a residential area. He stated residents already experience difficulty entering and exiting the area, and their City Commissioner has investigated the matter as well.

He disagreed with Mr. Lochrie’s claim that traffic entered 24th Avenue from the mobile home park in the past, asserting that this has never been the case in his 16 years of residency in the area. In addition, the Association had discussed the issue at their most recent meeting, and had planned to cover the issue once more at their October meeting to reiterate their objections.

With regard to the parking garage, Mr. Niederriter stated the residents’ desire is to push this “heavy, high” facility into the middle of the project to lessen its impact on their community.

Mr. Niederriter stated he had attended last month’s DRC meeting and learned the developer wishes to place six-story residential high-density units behind the commercial area in the residential neighborhood, in the corner of 24th Avenue and 3rd Street. He felt this building could also be pushed farther back among the developer’s other properties.

He concluded that there are other issues the Association had wished to raise at their October meeting, and would like the developer to serve notice that they will discuss the issue with the entire neighborhood. He asked that approval be deferred until after that time. He asserted that he was in favor of the project as a whole, but did not wish to see it disrupt the neighborhood.

Robert Malatino, private citizen, stated Mr. Niederriter had expressed some of his own feelings as a homeowner. While he liked the aesthetics provided to the

neighborhood by Riverbend Realty, he was concerned that vacating 26th Avenue would have a “major impact” on 24th Avenue. He described entering and exiting onto 24th Avenue as “a nightmare as it is already.”

He added that the parking garage is a 900-space structure, and felt it would have a major impact on the area as well. Mr. Malatino asked that the developer close one of the entranceway/exits that are planned for 24th Avenue and “have it exit someplace else.”

Buz Oldaker, private citizen, stated he has worked with the developer on two of their other projects. He owns two residential properties in the vicinity of the development, and asserted the developer worked closely with nearby stakeholders to address their concerns. He described the current outlook from his property as “like a park setting,” noting that the development has enhanced property values as well as the standard of living in the residential community. He concluded that the developer has “taken every opportunity” to make the project conducive to abutting a residential neighborhood, and felt although there were concerns, the developer would listen to the residents.

Randy Jesus, redevelopment project coordinator for the Broward Business Action Team, stated this organization is located on the north side of Broward Boulevard, across the street from the project. He described this as an unincorporated section on the City/County border.

Mr. Jesus asserted he had not realized the community had the concerns previously described, and felt the developer would be willing to work with the community and address their issues. He noted that when looking at a regional plan for community sustainability, the development enhances this aspect. He felt bringing the project to the community would help build jobs.

Mary Hayden, private citizen, stated she has lived in the neighborhood for 40 years, and while the proposed buildings sound “beautiful,” she observed they will still bring a great deal of traffic onto 24th Avenue, where the neighborhood enters and exits as well. She described traffic conditions as often blocked, requiring residents to sit through “two or three traffic lights” before they could get in or out. She felt the development could use 26th Avenue and go out to 27th Avenue rather than using the neighborhood’s access points.

Anthony Brown, resident of Riverland for 20 years, felt the project is “excellent,” and stated his only concern is their use of 24th Avenue, which he affirmed is already very difficult to use “morning and evening” due to heavy traffic. He felt the developer could find an alternative means of access to 24th Avenue.

Marc Hansen, private citizen, stated he lives in an area of Riverland and uses 24th Avenue regularly. He advised he has “multiple views” on the issue, as he

was once a resident of the mobile home park and is currently a clerk for the Supervisor of Elections. He is also a Democratic Executive Committeeman for the precinct under discussion.

Mr. Hansen asserted that no one from the homeowners' association had canvassed him or his neighbors to ask their opinion of the proposed project. He also described the traffic light on 24th Avenue as "a nightmare," and noted that residents have asked for several years that the light be examined and equipped with more appropriate timing; if this is done, he felt it would "make life a lot easier" for the residents.

As a clerk for the Supervisor of Elections, he did not feel employees would be using this light to enter and exit the development, as they use 27th Avenue as an access point for the area instead. During the daytime, when workers would be entering the area, the traffic for this office would be inbound toward the building as the neighborhood residents are outbound, and vice/versa, so the opposing traffics would pass each other. He reiterated that if the light and intersection were improved, it could solve "a massive amount of problems." He noted that residents of the mobile home park had used the entrance and exit, as Mr. Lochrie had stated earlier. He concluded that the development would have an impact for the betterment of the neighborhood.

Wayne Joseph, private citizen, stated he lives directly opposite the location of the proposed parking garage, and expressed concern that he would face this building. He noted that he had visited other areas to see what facing a structure such as this one would be like, and declared in the residential area, his family would be directly affected not only by the traffic but by looking at the building opposite them. While he is in favor of neighborhood improvement, he felt the developer should be mindful of the project's impact on individuals living close by.

Winston De Weaver, private citizen, stated he lives off 24th Avenue and has been a neighborhood resident since 2001. Currently, he does not use 24th Avenue, but enters and exits near the waterworks area, which has been opened for the project. When this is not reasonable, he asserted he makes a left turn to go back to 6th Street and uses 27th Avenue to turn onto Broward Boulevard. He concluded if traffic is this intense now, he did not want to consider what it would be like when both a residential and a business community share the area.

He continued that many children in the community play on the street in the residential neighborhood, which he felt would be disrupted by an increase in traffic as well.

Ms. Golub asked if Mr. De Weaver felt the proposed landscaping would be a more attractive view than the previous mobile home park. Mr. De Weaver replied that this would be a better view.

Ms. Golub also asked if anyone in the community had considered that the access on 24th Avenue will prevent cars from driving south on that stretch of road rather than driving to and from the garage. Mr. De Weaver stated he had not reviewed the entire plan in terms of traffic, but could only speak from experience with the traffic in the area. He did not feel the alternative routes proposed by the developer would be sufficient to address the traffic concerns.

Tammy De Weaver, private citizen, stated she also lives in the community, and expressed concern with the traffic on 24th Avenue. She did not feel it was valid to say the access “wouldn’t be used,” and believed drivers would turn south even if instructed otherwise. She added that her street features a “very sharp blind curve,” which would be a safety hazard with the possibility of greatly increased traffic volume. She felt if the developer is confident the road would not be used, the road should not be built, and that the possible addition of apartment buildings in the area would make the situation worse, as these would increase traffic 24 hours rather than during business hours only. While she felt the development and landscaping were “beautiful,” she advised that the first concern should be for safety.

Jon Albee, resident of Victoria Park, shared some of the concerns previously expressed regarding traffic. He explained he had been the president of the Victoria Park Civic Association in 2000, when many of the same concerns with traffic, noise, and sustainability were expressed. Today, he asserted, they are absent the previous issues of drugs and prostitution, and have an enjoyable neighborhood instead.

Mr. Albee stated it is important to understand that while it is often otherwise, the believability of the developer, in this case, is “rock-solid.” In conclusion, he urged the neighborhood residents to think of how to best work together with the development team, reiterating the “dramatic change” in his neighborhood as evidence.

There being no other members of the public wishing to speak on this Item, Vice Chair McTigue closed the public hearing and brought the discussion back to the Board.

Ms. Golub noted the concerns expressed by the community, particularly regarding traffic. Mr. Lochrie addressed the issue of 24th Avenue, pointing out two “cuts” on this road that give the properties on 24th Avenue “legal access,” and added that the plan is “far superior” to the road’s existing state, as these will be eliminated. With respect to the traffic light, he observed that the County has informed the Applicant that there is “simply not enough demand” for the existing signal to be changed as it stands today; with development, however, the Applicant hopes to work with residents on changing the signal. In addition, they

propose widening the intersection and extending its “throat” further to the south to lessen the bottleneck. There will be dedicated left and right lanes, with the possibility of a third lane.

He stated that the Applicant has met with the Riverland Civic Association for the past several months, and will continue to send representatives to their meetings as necessary.

With the vacation of 26th Avenue, the Applicant plans to put in a new, “more thorough” street 20 ft. to the east; 26th Avenue does not go away until this new street is complete and in use.

Vice Chair McTigue asked when changes on 24th Avenue are scheduled to begin. Mr. Lochrie replied that these are a requirement of the project’s engineering permit, and would need to be installed by the time COs are issued for the buildings. Construction trucks would enter and exit from Broward Boulevard and/or 27th Avenue rather than 24th Avenue, which Mr. Lochrie indicated the Applicant would accept as a condition if necessary.

He added that while it is true some traffic will continue to use 24th Avenue after changes are made, it will be considerably slower than using 27th Avenue. Signage encouraging the use of 27th Avenue would also be acceptable as a condition, Mr. Lochrie agreed.

Motion made by Ms. Freeman, seconded by Mr. Witschen for the purpose of discussion, to approve Items 3 and 4 as presented.

Mr. Witschen asked how many spaces are included in the proposed parking garage. Mr. Lochrie stated there will be 775 sale pads.

Responding to Mr. Witschen’s request for a traffic calming study on 24th Avenue, Mr. Lochrie responded by estimating there are six stop signs south of the site, as well as speed tables or speed bumps to the south. The Applicant would be willing to consider a traffic calming study of this area as well. Mr. Witschen asked if City Staff is willing to work with the Applicant on the traffic calming study and re-timing the traffic light on 24th Avenue, and Mr. Robinson agreed that Staff would be willing to work with the Applicant.

In a roll call vote, the **motion** carried unanimously for Item 3. Mr. Stresau abstained. A memorandum of voting conflict is attached to these minutes.

In a roll call vote, the **motion** carried unanimously for Item 4. Mr. Stresau abstained. A memorandum of voting conflict is attached to these minutes.

**Lutheran Church, Inc. / City
Of Fort Lauderdale**

Request: * * *

Public Purpose Use Approval / (Fire Station #35). Requesting relief from parking requirements, minimum stacking distance, parking turnaround, and landscaping requirements for tree installation and vehicular use area.

Legal Description:

All of Lots 12 and 13 and a Portion of Lot 11, Block 7, CORAL RIDGE ADDITION "A," P.B. 41, P. 30, of the Public Records of Broward County, Florida.

Address:

1971 East Commercial Boulevard

General Location:

North side of East Commercial Boulevard between NE 19 and NE 20 Avenues

District:

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Disclosures were made, and any members of the public wishing to speak on this item were sworn in.

Frank Snedaker, Chief Architect for the City, requested a deferral for this Item until the Board's September 16, 2009 meeting. It was noted that this upcoming meeting, however, had a very full Agenda, and Mr. Snedaker agreed that the Item could be heard in October.

Motion made by Ms. Golub, seconded by Mr. Witschen, to defer Item 6 until the October 21, 2009 meeting.

Mr. Stresau pointed out that the Board is not sure it would hear the Bahia Mar issue, in which there is a great deal of public interest, at its September meeting. He recalled that the City Commission has not yet given the Board direction on whether or not the issue will be heard, and if it is not heard, Item 6 could be placed on the Board's September Agenda.

Director Brewton advised the City Commission will meet earlier than the Board in September, and the Bahia Mar Applicant has been advised that this issue "needs to be cleared up" prior to any appearance before the Board in September. He

added it is his understanding that the Bahia Mar Applicant will seek clarification on the issue.

Mr. Stresau asked if this meant the Board could hear Item 6 in September if they do not hear the Bahia Mar Application. Director Brewton pointed out that there are individuals from the public wishing to be heard on Item 6, and it would be an inconvenience for them to appear at the September meeting only to be deferred another month.

He stated that the Bahia Mar Application is currently scheduled to appear on the September Agenda barring further direction from the City Commission.

Mr. Witschen withdrew his **second** of Ms. Golub's **motion**.

Ms. Freeman **seconded** the **motion** to defer Item 6 until the October 21, 2009 meeting at this time. In a roll call vote, the **motion** carried 6-1 (Mr. Witschen dissenting).

Vice Chair McTigue requested that Board members either retain their information packets for those Items deferred from tonight's meeting, or return them to Staff to be retained.

Director Brewton advised that if the Board wished, they could establish a practice of retaining or returning the information for tabled Items as a matter of consistency. He pointed out that some Board members may be absent from meetings.

Ms. Golub stated she preferred to retain submitted material, as it includes her notes on issues. Mr. Stresau agreed.

Mr. Witschen asserted that although the Board's September Agenda may appear "extraordinary," he felt it is a disservice to an Applicant, such as the Applicant for Item 6, to be deferred for an additional month.

Motion made by Ms. Golub, seconded by Ms. Freeman, that the Board members retain their information on deferred Items rather than return it to Staff. In a voice vote, the **motion** carried unanimously.

7. **Communications to the City Commission**

None at this time.

8. **For the Good of the City**

Ms. Golub stated she wished to formally compliment the Recording Secretary for her work on the meeting minutes.

There being no further business to come before the Board at this time, the meeting was adjourned at 8:37 p.m.

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

Chair

Prototype