

**PLANNING AND ZONING BOARD  
CITY OF FORT LAUDERDALE  
CITY HALL COMMISSION CHAMBERS – 1<sup>ST</sup> FLOOR  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA  
WEDNESDAY, JUNE 15, 2011 – 6:30 P.M.**

**Cumulative**

<b>Board Members</b>	<b>Attendance</b>	<b>June 2011-May 2012</b>	
		<b>Present</b>	<b>Absent</b>
Patrick McTigue, Chair	P	1	0
Leo Hansen, Vice Chair	P	1	0
Stephanie Desir-Jean	P	1	0
Michael Ferber	P	1	0
Catherine Maus	P	1	0
James McCulla	P	1	0
Michelle Tuggle	P	1	0
Tom Welch	P	1	0
Peter Witschen	P	1	0

**Staff**

Greg Brewton, Director of Planning and Zoning  
 Sharon Miller, Assistant City Attorney  
 Anthony Fajardo, Planner III  
 Michael Ciesielski, Planner II  
 Yvonne Redding, Planner II  
 Deborah Rutkowski, Planning Assistant  
 Cheryl Felder, Service Clerk  
 Jay Sajadi, Public Works  
 Dennis Girisgen, Engineering  
 Mohammed Malik, Chief Zoning Examiner  
 Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

**Index**

	<b><u>Case Number</u></b>	<b><u>Applicant</u></b>
1.	23-R-11**	EQR-Port Royale Vistas, Inc.
2.	76-R-10II	Tim Doran / 53 <sup>rd</sup> Detox Invoestments, LLC (formerly Holy Cross Long Term Care, Inc.)
3.	3-Z-11** *	First Ebenezer Missionary Christian Church, Inc.
4.	4-Z-11** *	City of Fort Lauderdale / SRAC-RA Rezoning
5.	4-T-11** *	City of Fort Lauderdale / SRAC-SA Zoning Districts

6. Communications to the City Commission
7. For the Good of the City
8. Election of Chair and Vice Chair

### 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 McTigue called the meeting to order at 6:30 p.m. and all stood for the Pledge of Allegiance. The Chair introduced the Board members and welcomed new members Stephanie Desir-Jean and James McCulla. Planning and Zoning Director Greg Brewton introduced the City Staff members. Attorney Miller explained the quasi-judicial process used by the Board.

**Motion** made by Ms. Maus, seconded by Ms. Tuggle, to approve the minutes of the May 18, 2011 meeting. In a voice vote, the **motion** passed unanimously.

Chair McTigue stated the City had requested Item 5 be deferred until the July 20, 2011 Board meeting. **Motion** made by Vice Chair Hansen, and duly seconded, to defer. In a voice vote, the **motion** passed unanimously.

Chair McTigue reminded those present that presentation times for Applicants are 15 minutes, during which all persons associated with the Application must speak. Members of the public representing associations and groups may speak for five minutes, and individuals may speak for three minutes.

<b>1. <u>EQR-Port Royale Vistas, Inc.</u></b>	<b>Yvonne Redding</b>	<b>23R11</b>
<b>Request: **</b>	<b>Site Plan Level III/ Waterway Use / Modification of 20' Landscape Yard Requirement / 379 Multi-Family Units / 1,060 Space Parking Facility</b>	
Legal Description:	BAR HARBOUR 79-16 B, Lots 5, 6 and 7	
Address:	3217 South Port Royale Drive	
General Location:	East of US 1, South of McNab Road	
District:	1	

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

Barbara Hall, representing the Applicant, explained she was presenting a project for the redevelopment of Port Royale, a 31-acre parcel at the north end of Federal Highway. She introduced the team that has been working on the project.

Ms. Hall showed the Board a PowerPoint presentation on the history of the project. It was owned and operated as a multi-family residential project. The property is predominantly zoned RMH-60, which allows 60 units per acre; however, a band of RM-25 was created on the north and west of the property to serve as a buffer to adjacent areas. She noted that the adjacent condominium has the same zoning as the Port Royale property, including the band of RM-25.

Currently 1689 units would be allowed on the Port Royale property. There are 737 existing units, and after redevelopment there would be 1108, which remains well below the permitted density. She showed a slide comparing the redevelopment to the existing condominium project. After Port Royale is redeveloped, it will have a density of 36.23 units per acre, with 38.22 units per acre in The Tower. The Applicant is seeking a height of 140 ft.; the existing condominium tower is 200 ft.

Ms. Hall showed views of the Port Royale project, including the 20-storey condominium in the center of the property. She also showed slides of the Bay Colony residences to the right of Port Royale. The Port Royale condominium was built in 1981, and the rest of the property was built between 1985 and 1991. It was platted in 1973 and has been zoned for 60 units per acre since the 1970s.

She explained that the Applicant approached redevelopment with specific design principles and a plan for speaking with the neighboring property owners. The goals including upscaling a uniquely located gated rental community on the Intracoastal Waterway with a private marina; building within permitted zoning; designing with sensitivity to the neighbors; and creating a neighborhood from The Tower and the apartments, which are two separate developments.

Victor Yue, architect, said the project is attempting to improve the neighborhood by tying the two separate projects together. It meets all zoning criteria. The proposed development would take down the three- and four-storey walkup apartments and replace them with four different buildings. Mr. Yue showed a slide including the location and heights of the proposed buildings, stating that the intent was to enhance the view of other neighborhood residents. The perimeter of the site features a 70 ft. wide green space buffer that surrounds the 140 ft. tall building on the Waterway; for the eight-storey building, the buffer is 40 ft. The Applicant also intends to improve the marina.

Mr. Yue said the walkways throughout the entire development will be enhanced, and bicycle parking will be included in the garage. Additional planting along the south edge of the property will screen the headlights of vehicles leaving the garage. Traffic calming devices along arrival points will also be increased, and sidewalks will be extended all the way to US-1 on the south side of the project.

The massing of the buildings was broken down in different forms: the forms are driven by setback and height requirements. The location of the high-rise Tower is also due to sensitivity to the property's neighbors; step-downs at the 15<sup>th</sup> and 8<sup>th</sup> stories will transition into the two-storey buildings existing to the south of the property. Mr. Yue concluded that the façades also break up the massing of the buildings. Improvements to the marina side include increasing the 10 ft. side buffer to 70 ft., and the garage is "disguised" as a residential building with a balcony.

At this time Ms. Hall requested an additional 10 to 15 minutes for the Applicant to complete the presentation. The Board agreed to grant an additional 10 minutes.

Kathy Sweetapple, transportation consultant, advised that the traffic impact study evaluated transportation impacts associated with the adopted level of service standards according to the City's Comprehensive Plan. Roadways and intersections were analyzed as part of the study area, including the State arterial roadway and intersecting local city collectors and roads.

The study considers access from the redevelopment site to US-1 along Port Royale Boulevard. Study methodology looks at both existing and future traffic conditions during a.m. and p.m. peak hours. Mitigation is also identified where it is needed to improve signal timing at intersections along US-1, and to add pedestrian and bicycle improvements to the project. The Applicant is making operational improvements to the gatehouse at the entrance of the project, and has agreed to make traffic calming improvements to Port Royale Boulevard.

The only way in and out of the existing Port Royale Apartments is through Port Royale Boulevard, which is a four-lane divided highway. There is no opportunity to "cut through" adjoining areas to access the project. Ms. Sweetapple noted that access along the Boulevard is shared by retail and office uses as well as the neighboring Montego Bay Town Homes. She stated that Port Royale Boulevard is a publicly dedicated road that extends roughly 1000 ft. from US-1 to the gated entrance of the property.

The traffic study looks at existing traffic, background growth through 2014, and committed development for a pending project across the street. Net new traffic from the proposed units and total traffic conditions from 2014 have been considered. The project meets the service standards per the City's

Comprehensive Plan, which measures the adapted level of service pursuant to the a.m. and p.m. peak hours. The project is also consistent with City Code.

She continued that the Applicant will be able to improve adapted level of service standards for the adjacent study intersections by modifying signal timing. This will result in modifying the allocation of green time that is assigned to each part of the intersection. The City has included this modification as a condition of approval of the project: the Applicant will fund certain specific improvements to be in place prior to the CO of the final residential building, and will optimize traffic signal phasing, timing, and system coordination plans. They must coordinate with both the City and County, as well as with the Florida Department of Transportation (FDOT), to approve and implement these improvements. They have also agreed to fund other improvements, including the connectivity of the sidewalk on the north side and adding a new sidewalk on the south side. Traffic calming improvements funded by the Applicant along Port Royale Boulevard will include speed tables, which have been made a condition of approval by the Applicant.

Ms. Sweetapple concluded that the gatehouse operation was studied to ensure there was no impact on the adjacent driveway to the west, which leads to Montego Bay. No queue of more than two to three vehicles was found, although the study forecasted that up to five vehicles may be in a queue with the new project. The Applicant has agreed to fund gatehouse efficiency improvements that allow the gatehouse to process visitors more efficiently.

In summary, Ms. Hall showed a list of the meetings the Applicant has had with the project's neighbors, including Tower, Bay Colony, and Montego Bay boards and residents. The Applicant has addressed the issues raised by these residents. She noted that neighboring properties may now use the yacht club and overlook and will benefit from the Applicant's forthcoming traffic improvements.

Ms. Tuggle requested a copy of the PowerPoint presentation used by the Applicant. Ms. Hall provided a copy for the record.

Director Brewton noted that the commitments cited by the Applicant during the presentation would be "possible conditions" that would be attached to the Application. He advised that while the Applicant has included some of these assertions in letters, some of the commitments had been expanded upon during the presentation.

Ms. Hall said the letters were included in the Board's information package as Exhibits 1 and 3, and contained references to the following improvements or changes:

- A scenic walkway;
- An "Intracoastal overlook;"
- A yacht club;

- Guard gate improvements.

She added that the Applicant has also made a separate private agreement with the condominium association that they will be able to share the easements.

Improvements to the overall neighborhood include:

- Improved connectivity to the existing sidewalk on the north;
- Addition of a new sidewalk on the south side of Port Royale;
- Installation of directional signage at the entrance to Montego Bay;
- Installation of speed tables along Port Royale Boulevard, if approved by the City Commission;
- Gatehouse efficiency upgrades;
- Improvement of signal timing on US-1.

Yvonne Redding, Planner, said the Applicant wishes to demolish seven existing buildings that contain 184 units and a clubhouse. They will rebuild 371 new units for a total rebuild of 555 units, as well as a new yacht clubhouse. The request is within zoning regulations for height and setbacks; the only modification the Applicant is requesting is the encroachment of the pool, pavers, and seating areas in the 20 ft. landscape buffer required along the waterway. The closest building is set back 40 ft., which provides adequate landscaping to adjust for the encroachment of these amenities.

She advised that Exhibit 3 was written by City Engineer Dennis Girisgen, and the conditions regarding traffic and engineering items are his. The Applicant has met with residents of the neighborhood and has agreed upon the remaining conditions. Ms. Redding also noted that there may be additional conditions as stated in the Applicant's presentation.

The Application is well below density requirements for the area. The Applicant will appear before the Marine Advisory Board with regard to proposed marina improvements.

Ms. Redding advised the information package included a petition signed by some neighborhood residents, as well as two letters of support from Bay Colony and The Tower, with which she was provided earlier today.

There being no further questions from the Board at this time, Chair McTigue opened the public hearing.

Pam Kane, representing the condominium association of The Tower at Port Royale, stated that the association's Board of Directors voted in approval of the project and have supplied a letter in its support. She said she and Ms. Hall have worked for several months to arrive at a project that is acceptable to the present condominium tower.

She added that another vote was taken by residents of the condominium, which concerned the board, as they felt it was "misleading." For this reason, a straw ballot of residents was held on May 25, 2011. Participating residents voted in favor of the redevelopment by 74%. Ms. Kane advised that many residents of the condominium were present at tonight's meeting, although not all of them had signed in to speak on the Application.

Cindy Terhune stated she is a resident of The Tower at Port Royale. She said she was not aware that Ms. Kane had met with any residents of this condominium. She advised that traffic currently backs up at Port Royale, particularly in the morning, and did not agree with the findings of the traffic study. She felt more residents would add to the traffic issues.

Ms. Terhune said the residents were told at the association's board meetings that "the board agreed with us," which meant they did not want the redevelopment at Port Royale but would proceed with negotiations in order to get some concessions from the project. She said the ballot was "extremely confusing" and many residents declined to sign it; the board had told them the project was "a done deal" and the residents had no input.

She concluded that she did not believe there would be tenants in all the available units, and the buildings would block the view from the condominium and would be detrimental to the residents' property values.

David Saindon, president of the Bel Air Civic Association, said this neighborhood is located 300 ft. across the Intracoastal Waterway from the Port Royale project. He said in the fall of 2010, the town of Lauderdale-by-the-Sea had advised the Association of the impending redevelopment, and members had invited Ms. Hall and another representative to discuss the project. The information shared by Ms. Hall was passed on to Association members at their annual meeting in the spring. Mr. Saindon stated that there had been no contact between Port Royale representatives and the Bel Air Civic Association since the initial meeting.

He advised that the redevelopment would have a significant impact on residents to the west, as the new buildings will block some daylight hours, reduce privacy in rear yards, and alter the western view. This would also affect the units' property values and tax rolls. He noted that the dust and noise associated with construction would affect not only nearby residents but marine life in the Intracoastal Waterway. He requested that the impact on the project's western neighbors be considered, and that approval of the project be delayed until a representative contacts Bel Air regarding potential compensation.

Ms. Tuggle noted that the Applicant's meeting list cites a telephone call to the vice president of the Bel Air Civic Association at the end of January 2011, followed by a note stating there was a meeting at a home. Mr. Saindon confirmed

this was the meeting to which he had referred. Ms. Maus asked if Mr. Saindon's comments were on behalf of the entire Association. Mr. Saindon said they were.

Ms. Desir-Jean asked if Bel Air was located in Fort Lauderdale or in Lauderdale-by-the-Sea. Mr. Saindon said it was in Lauderdale-by-the-Sea, and reiterated that the town had initially informed the Bel Air Civic Association of the Port Royale project.

Vice Chair Hansen asked what is different about the overall property now, as the zoning has been in place since the 1970s. Mr. Saindon said he did not feel individuals purchased properties in Lauderdale-by-the-Sea with consideration of changes that may happen on surrounding properties to affect their views or property values.

Mr. Witschen asked to know the maximum height allowed on the site. Director Brewton said it is 150 ft and higher with conditional use approval by the board

Sherry Hanaka is a resident of The Tower at Port Royale. She stated that her greatest concern is with the history of Equity Residential. She said there are sex offenders living on the property and police are present "on a daily basis." She did not believe the existing screening process for residents was sufficient, and felt the addition of more residents would increase crime. She added that the maintenance of the surrounding area is also insufficient.

She added that the survey of residents resulted in "eight pages of signatures" by residents who were unhappy with the project; she said these were provided to the Board members. Ms. Hanaka noted that The Tower's board met earlier in the day to vote to approve the project, which she felt was the result of an offer of financial compensation.

Tom Tapp is a resident of Montego Bay Town Homes. He stated that this development shares an ingress/egress with Port Royale, and expressed concern with the addition of 184 a.m. and 204 p.m. peak hour trips. He characterized this as a safety issue affecting Port Royale Boulevard and Port Royale Lane.

He added that Montego Bay's board has met twice with the Applicant and residents were invited to "a general meeting on the site." He concluded that he hoped the residents' recommendations were incorporated into the project as conditions. These recommendations include reduction and increased enforcement of the speed limit, additional speed tables, directional signage at the entrance stating the entrance to Montego Bay is not an entrance to Port Royale, control of the traffic queue at the gate, and keeping the project on schedule. He added that the staging area for construction equipment should not have a detrimental effect on surrounding neighborhoods. Mr. Tapp asked that these concerns become conditions of the project's approval.



Linda Tapp, resident of Montego Bay, said her main concern was for noise in residential neighborhoods. She advised that the Environmental Protection Act states it is “an offense to cause unreasonable noises to any residential area.” Volume, time of day, and intensity of noise are contributing factors. Ms. Tapp concluded that the City should minimize the nuisances caused by construction projects by limiting construction to specific hours and enclosing noise sources. She also asked that the gate be manned on a 24-hour basis.

Ms. Tuggle asked if a representative or officer of Port Royale’s board was present. She noted that roughly 175 residents had signed the petition against the Application, and asked how this issue had been addressed.

Bob Hass, president of The Tower at Port Royale Condominium Association, said a straw poll was held in May, at which 83 ballots were cast in favor of continuing negotiations with Equity Residential and 29 ballots were against the continuation.

Ms. Tuggle asked how many residents were in attendance. Mr. Hass said the secret ballots were returned over a two-week period; they were then opened at a meeting in front of the residents.

Ms. Tuggle pointed out that the petition had 175 signatures. Mr. Hass said he was aware of the petition but had not known the number of signatures. Ms. Tuggle asked how many of the existing units are currently vacant. Mr. Hass said there are 230 existing units, roughly 200 of which are occupied.

Ms. Desir-Jean requested clarification of the board meeting held earlier in the day. Mr. Hass said the board posted notice on Monday for the meeting to approve the agreement with Equity Residential. He noted that the association’s policy usually requires 48 hours’ notice unless there is an emergency. He estimated 25 to 30 people attended this morning’s meeting.

Vice Chair Hansen stated he wished to ask the members of the public who have spoken in opposition to the project if they had specific arguments against the Port Royale redevelopment rather than to any redevelopment in general. He advised there were two potential reasons why the Application could be denied:

- Because the original zoning was improper; or
- Issues specific to this project.

He explained that most of the arguments he had heard were “against building anything” on the site.

Mr. Saindon addressed the question, stating that Lauderdale-by-the-Sea has four-storey height restrictions. He said the proposed height of the project would affect the residents to the west.

Vice Chair Hansen explained that it is not possible to view the existing use of any property as the ultimate use. He asked again why the specific project is a problem. Mr. Saindon stated that the project affected the view. Vice Chair Hansen said while this is a valid criticism, the Board cannot deny an Application without a logical reason, such as a failure to meet ULDR requirements.

Mr. Witschen added that it was not reasonable to expect the development in the project's zoning district would always remain low-rise when the development rights are for heights up to 150 ft. Mr. Saindon said when they had met with the developer, he had asked if they felt any responsibility to the Bel Air residents, such as "relandscaping the Intracoastal on...the east side" to minimize the "visual of all concrete" that would result from the development. He noted that The Tower is receiving compensation, including repainting their building and monetary compensation, and felt the developer could similarly compensate Bel Air.

Ms. Desir-Jean advised that Bel Air is not inside Fort Lauderdale and cannot dictate what is done with land inside the City. Mr. McCulla stated the Board should move on.

Ms. Terhune suggested that the project should decrease the population of the development, stating that the addition of more residents in a small area would exacerbate existing traffic issues.

Ms. Tuggle noted that the petition listed four areas of concern, including "serious environmental issues associated with the demolition of the current buildings." She asked Ms. Redding if this was accurate. Ms. Redding said if this is an issue, the Building Department would monitor it as part of the construction plan.

Ms. Tuggle continued that another concern cited on the petition was that the project is dangerous to the manatees currently living in the marina basin. Ms. Redding said she did not have information on this issue, but advised that the marina redevelopment would be handled by the Marine Advisory Board.

Ms. Tuggle asked if the Applicant's traffic study was considered adequate. Ms. Redding said it was reviewed by the City's traffic consultant and in-house traffic engineer. Ms. Tuggle asked if this meant all the concerns raised by the petition have been addressed. Ms. Redding said she felt they were or would be adequately addressed by either Planning and Zoning, Engineering, the Marine Advisory Board, or Construction Services.

Mr. Witschen requested that the public hearing be closed and discussion returned to the Board, as members had questions for the Applicant's team.

As there were no other members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

Ms. Hall showed a slide including the homes in Bel Air, pointing out that they face predominantly north/south. She advised that breaking down the face of the project's larger building by two stories was a form of mitigation of its impact; in addition, the larger building is set back 70 ft. from the Intracoastal Waterway.

In reference to the petition, Ms. Hall stated that many of the signers are from other communities and are not all residents of the existing condominium.

Mr. Witschen asked if any analysis has been done regarding what would happen to the queuing cycles on US-1. Dennis Girisgen, City Engineer, said Exhibit 3 summarizes the level of service analyses done for both a.m. and p.m. hours. He stated he did not have information on how traffic light cycles, for example, would be affected by the project. The City had asked how lane storage spillover would be affected, although Mr. Girisgen said he had not seen the answer to this question.

Ms. Sweetapple said queues for east/westbound movement coming out of Port Royale had been studied for a.m. and p.m. peak hours. From a westbound approach, left turn movement will leave approximately four cars remaining in each individual lane after timing improvements are made. She noted that the current timing of those signals, however, was less than optimal at all three intersections. She felt the timing improvements would move cars through the intersection more efficiently.

Mr. Girisgen introduced Suzanne Danielson of Kimley-Horn, the City's traffic consultant. Ms. Danielson explained that while timing can be optimized with the existing phasing, changes in phasing would affect the geometry of the side streets. The phasing operation that would eliminate most of the queues and delays may not be possible. While timing would not eliminate all queues and delays, it would alleviate them to some extent.

Mr. Ferber requested more information on the swimming pool and pool deck area encroachment onto the waterway, asking if this is an unprecedented request. Director Brewton said in his 32 years with the City, he recalled one similar request for modification in a B-1 district. He confirmed that the improvements will be made at grade level. Mr. Brewton also added that this request has been made more common for such developments on the waterway in residential zonings.

Vice Chair Hansen asked if the Applicant has submitted a construction mitigation plan to address environmental issues. Ms. Redding said there is a construction staging plan, which addresses dust and debris, that has been reviewed by City Staff.

Vice Chair Hansen asked how many conditions currently exist for the Application, and whether they are all recorded so the Board may vote on the Application at tonight's meeting. Ms. Redding said the three conditions of Exhibit 1 are stated in Ms. Hall's letter; conditions imposed by Mr. Girisgen are included in Exhibit 3. The only Staff condition is for the approval of modification to the yard.

Vice Chair Hansen asked if the three conditions requested by Mr. Tapp would be included. Ms. Redding said these were not stated to her prior to tonight's meeting, but advised with the exception of the reduction of the speed limit, they are the same conditions included in Exhibit 1.

Ms. Tuggle asked if it is routine to measure setbacks from the waterline. Director Brewton said they are measured from the "wet face," or the water's edge, along waterways.

Mr. Witschen felt the project suffers due to Code modifications that were made. He stated the project seems to be over parked, which results in parking garages of greater mass; another issue is the inability to have a building length of more than 200 ft., which he felt compromised the architect's creativity. He concluded that he hoped this provision of Code would eventually be revisited.

Ms. Maus advised that she would support the project, and requested confirmation that the City Commission could call it up for approval. Director Brewton confirmed this. Ms. Maus explained that this meant if the Board approves the project, final approval is on hold for 30 days, in which any member of the City Commission may call it up. She stated that some of the evidence seemed contradictory, such as the petition, although the project meets Code.

**Motion** made by Mr. Witschen, seconded by Mr. McCulla, to approve with conditions.

Mr. Witschen asserted that the condition of managing construction activity will need to be managed more strictly than the City Ordinance dictates. Vice Chair Hansen agreed, and added that additional restrictions may be necessary for construction hours to avoid conflict with peak a.m. and p.m. traffic hours.

In a roll call vote, the **motion** passed 9-0.

2. Tim Doran/ 53<sup>rd</sup> Detox Investments,LLC. Michael Ciesielski  
(formerly Holy Cross Long Term Care, Inc.)

**Request: \*\***                    **Amendment to a Previously Approved Site Plan/  
Conditional Use of a Level V Social Service Residential  
Facility in a B-1 Zoning District**

Legal Description:    Lots 1, 2, and 3, Block 1, Mary Knoll, P.B. 39, P. 48, of the  
Public Records of Broward County, Florida

Address:                    2331 NE 53 Street (previously listed as 1223 NE 53 Street)

General Location:    NW corner of North Federal Highway and NE 53 Street

District:                    1

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

Larry Martineau, representing the Applicant, said the Application received approval at the February 16, 2011 Board meeting, with several conditions placed on the project. As plans for the project were developed, the owner determined that "a substantial residential appearance" would enhance its clientele's experience. The Applicant would like to add new elements to the building's exterior. No other changes have been proposed.

Mr. Martineau continued that the Applicant is requesting a change to site plan condition 10, which states: "The project shall include a new roof of the building with flat concrete tiles." The Applicant would like to include a standing seam metal roof instead. He showed a rendering of what this feature would look like. In addition, shutters would be changed to Bahama-style shutters on most of the building's windows. The Applicant has shown these proposed changes to neighbors and received positive feedback on this improvement, including two letters of support.

Mike Ciesielski, Planner, referred the Board members to the original conditions of approval, which are included in their packets.

There being no questions from the Board at this time, Chair McTigue opened the public hearing. As there were no members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

**Motion** made by Mr. Witschen, seconded by Ms. Maus, to approve. In a roll call vote, the **motion** passed 9-0.

3. **First Ebenezer Missionary Christian Church, Inc.** Deborah Rutkowski 3Z11

**Request: \*\* \*** Rezone from RMM-25 (Residential Mid Rise Multifamily/Medium High Density) to CF-HS (Community Facilities-House of Worship)

Legal Description: Lots 3-12, Lots 39-48, Block 322, PROGRESSO, according to the plat thereof, as recorded in Plat Book 2, Page 18, of the Public Records of Dade County, Florida

Address: 312 North West 7 Street

General Location: North of Sistrunk Boulevard, on the Southeast corner of Northwest 4 Avenue and Northwest 7 Street

District: 2

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

Dan Fee, representing the Applicant, stated the request is for rezoning from RMM-25 to a community facility zoning designation. A church building is currently located on the property, and the eastern portion of the property is vacant. The long-term plan is to redevelop the site and build a new church facility that incorporates an educational facility, which would require rezoning.

Vice Chair Hansen asked if the Applicant has met with neighbors in the area. Mr. Fee said no discussions were held with neighbors.

Deborah Rutkowski, Planner, said the request would rezone 10,000 sq. ft. of land. The future land use is included in the Northwest Regional Activity Center and is consistent with the Comprehensive Plan.

Ms. Tuggle asked if the surrounding properties are commercial. Ms. Rutkowski said the surrounding area includes both residential and commercial properties, including single-family residences and one-storey apartment buildings, another house of worship, and commercial zoning.

Ms. Tuggle asked if Applications required posting and notice via mail for surrounding properties. Ms. Rutkowski said this was done, but no local meetings were held.

Ms. Tuggle asked what the capacity of the school facility would be. Mr. Fee said this has not yet been designed or planned, but the Applicant would work within "whatever limitation the zoning permits." He added that the primary purpose of the request was for expansion of the church. Ms. Tuggle explained that the

rezoning request would mean the Applicant did not have to request further permission to add a school to a residential neighborhood. Mr. Fee said the Applicant would require site plan approval when the facility is designed, which means they would come back before the Board.

Director Brewton clarified that if the project comes back for Site Plan Level II approval, it would not come back to the Board, but to the Development Review Committee (DRC), unless it is over 10,000 sq. ft.

Mr. Witschen asked where the property is located in relation to the CRA boundaries. Director Brewton said the property is within the CRA boundaries, although the CRA Board has not reviewed the Application.

Ms. Maus asked if Applicants are encouraged to meet with neighbors and neighborhood associations as part of the Application process. Director Brewton confirmed this. Ms. Maus asked if the project had a timetable that had prevented the Applicant from completing this step. Mr. Fee said he was not aware of any such timetable. Mr. Witschen added that he would like to hear from the CRA Board with regard to the Application as well.

Mr. Ferber asked how long the Applicant has owned the property. Mr. Fee said they have owned "different parts of it for quite some time" and have assembled additional lots over the years. Mr. Ferber asked if the land is currently on the tax rolls. Mr. Fee said the backup material includes documents from the property appraiser's office, which show the property is not taxable.

Mr. McCulla asked if the Applicant could conduct outreach into the neighborhood if they were given 30 days in which to do so. Mr. Fee agreed.

**Motion** made by Mr. McCulla, seconded by Ms. Maus, to defer for a month to give the Applicant time to do some neighborhood outreach.

It was clarified that the date of the next Board meeting will be July 20.

It was noted that some members of the public were present to speak on the Item. Mr. McCulla **withdrew** his **motion**.

Vice Chair Hansen said he felt it would be to the Board's advantage to hear public input when the Application comes back to them at a later time.

**Motion** made by Vice Chair Hansen, seconded by Ms. Maus, to defer discussion until [July 20].

Mr. Fee said he was not certain the Applicant could conduct neighborhood and CRA Board outreach within 30 days. Vice Chair Hansen suggested the Board could allow for more time if the Applicant wished.

Ms. Desir-Jean said she was not comfortable without hearing public input on the Item, as members of the public have come to tonight's meeting to be heard. Ms. Maus asked if discussion of the Item could begin at tonight's meeting and be continued at a later date. It was clarified that members of the public who spoke at tonight's meeting would not be allowed to speak again when the hearing is continued. Chair McTigue apologized for any inconvenience.

Chair McTigue asked if Mr. Sterner had received the letter of notice from the Applicant. Mr. Sterner said neither he nor the civic association had received the letter or any other form of public outreach.

Mr. Sterner asked if the Item could be placed at #1 on the Board's Agenda at the next meeting. The Board and Director Brewton agreed this could be done.

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

4. **City of Fort Lauderdale / SRAC-SA** Anthony Fajardo Greg 4Z11  
**Rezoning**

<b>Request: ** *</b>	<b>Rezone from SRAC-SAe (South Regional Activity Center – South Andrews East) to SRAC-SAw (South Regional Activity Center – South Andrews West)</b>
Legal Description:	CROISSANT PARK 4-28 B LOT 11 TO 13 BLK 22 / CROISSANT PARK 4-28 B LOT 14 BLK 22 / CROISSANT PARK 4-28 B LOT 15 BLK 22 / 1322 SW 1 Avenue / CROISSANT PARK 4-28 B LOT 16 BLK 22 / CROISSANT PARK 4-28 B LOT 1,2 BLK 22
Address:	1302 SW 1 Avenue / 1314 SW 1 Avenue / 1318 SW 1 Avenue / 1322 SW 1 Avenue / 99 SW 14 Street
General Location:	Those properties fronting on east side of SW 1 Avenue between SW 13 Street and SW 14 Street
District:	4

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

Anthony Fajardo, Planner, said the request is for rezoning of five parcels from the South Regional Activity Center, South Andrews East to South Andrews West. In January 2011, the City Commission approved the creation of the South Andrews Avenue zoning districts, which apply to an area south of Tarpon Bend to SR-84 and from the FEC corridor to roughly SE 1 Avenue. The existing boundaries at



the time were B-3 and CB zoning districts; when the rezoning occurred, this line was maintained between the south and east sides of the SRAC-SA zoning districts.

Mr. Fajardo recalled that at the City Commission's January 4 meeting, members of the public with interests and properties that were rezoned on the east side had expressed interest in gaining access to the uses on the west side. At its April 5 meeting, the City Commission directed Staff to proceed with a City-initiated rezoning of those parcels.

John Aurelius stated he is the attorney for the Stone family, who own the "bottom parcel" of the four to five parcels listed for rezoning. He stated that similar zoning should be applicable to both sides of the street in this area. The original Ordinance was adopted by the City Commission with the understanding that these property owners did not object to it, but would like the City to cover the expenses of bringing the case before the Board.

There being no questions from the Board at this time, Chair McTigue opened the public hearing.

Rick Banett stated he owns the property on the north side of the block. He explained that his property was built and functions as a warehouse, with six rental spaces, in B-3 zoning. He said it has been frustrating to rent these spaces to retail tenants, as there is not sufficient parking within B-3 and he does not have storefront windows. The neighboring properties are commercial or industrial B-3 tenants. He hoped the Board would "return the zoning" so he can rent to suitable tenants.

As there were no other members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

**Motion** made by Mr. Witschen, seconded by Mr. McCulla, to approve. In a roll call vote, the **motion** passed 9-0.

**6. Communication to the City Commission**

None.

**7. For the Good of the City**

None.

**8. Election of Chair**

**Motion** made by Mr. Welch, seconded by Vice Chair Hansen, to nominate Mr. McTigue as Chair. In a voice vote, Mr. McTigue was unanimously elected to another term as Chair.

It was noted that Mr. Hansen would continue to serve as Vice Chair.

There being no further business to come before the Board at this time, the meeting was adjourned at 8:45 p.m.

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Chair

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Prototype

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