

DRAFT
PLANNING AND ZONING BOARD
COMMISSION CHAMBERS
2020 WILTON DRIVE, WILTON MANORS, FL 33305
MONDAY, APRIL 8, 2013 – 7:00 P.M.

MEMBERS	ATTENDANCE
Brett Nein, Chair	P
Nick Berry, Vice Chair	P
Robert Cassidy	A
Constance Ruppender	P
Patrea St. John	A
Ruthanne Stadnik	P
Jeffrey Ferraro	P
Debra Rochlin (alternate - voting)	P
Michael Wright (alternate - voting) (arr. 7:20 p.m.)	P

Staff

Mike Cirullo, Assistant City Attorney
Heidi Shafran, Community Development Services Director
Robert Collins, Michael Miller Planning Associates
Brigitte Chiappetta, Prototype, Inc.

I. Call to Order

Chair Nein called the meeting to order at 7:05 p.m.

II. Roll Call

Roll was called by Ms. Chiappetta, and a quorum was present.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Approval of Staff Minutes - March 11, 2013

Motion by Vice Chair Berry, seconded by Ms. Ruppender, to approve the minutes of the March 11, 2013 meeting. In a vote by roll call, the motion passed unanimously (6-0).

V. Quasi-Judicial Public Hearings

Mr. Cirullo, Assistant City Attorney, explained the quasi-judicial process. He explained that the first hearing (PUD-RZ application) would be considered quasi-judicial because it

involves a site plan, and rezoning has to go to the City Commission thereafter. The same holds true for the plat application.

Those wishing to testify for or against the items were asked to raise their right hand and be sworn in. Mr. Cirullo performed the swearing in for the hearing.

Mr. Cirullo reminded the Board that the first two items were deferred from the last meeting, and suggested hearing the first two items together and the plat separately.

Chair Nein asked Mr. Cirullo if it would be appropriate to take the plat application first since it is new and was a condition of the rezoning and site plan. Mr. Cirullo replied that it could be handled either way, but recommended concluding the hearings on the first two items before considering the plat application.

- a) PUD RZ 12-01 (*Deferred from February 11, 2013 meeting*)
Owner/Applicant: First Church of Religious Science, Inc.
Agent for the Applicant: Urban Dynamic Communities, LLC
The Village at Wilton Manors
1550 NE 26 Street
Wilton Manors, FL

Rezoning from Community Facility (CF) District to Urban Infill/Redevelopment Planned Unit Development (PUD-C) District.

- b) SP 12-04 (*Deferred from February 11, 2013 meeting*)
Owner/Applicant: First Church of Religious Science, Inc.
Agent for the Applicant: Urban Dynamic Communities, LLC
The Village at Wilton Manors
1550 NE 26 Street
Wilton Manors, FL

Site plan approval for the redevelopment of an existing site for a multi-unit residential townhouse project.

Richard Coker, attorney representing the applicant, Urban Dynamic Communities, LLC, recalled there was a full presentation of the project in general at the last hearing. Since then, he has addressed the comments received from staff and the Board, and he directed the Board's attention to his memo of March 18, 2013.

Mr. Coker then reviewed the changes made to the site plan on the following points:

- NE 24 Street building and parking
- Reduction in units
- Renderings

[Mr. Wright arrived at 7:20 p.m.]

- PUD document
- Exit on NE 15 Avenue
- Left turn out on NE 16 Avenue
- Tree mitigation
- Pedestrian-friendly design
- Balconies
- Chain link fence
- Plat and survey

Julio Grabiél, Grapa Studio, showed a PowerPoint presentation beginning at 7:26 p.m. His presentation demonstrated in a graphic format the changes that Mr. Coker reviewed.

He mentioned all parking will be on pavers or on a street. He presented the plan to Peter Burke, Broward County, and said that Mr. Burke was pleased with the record of the existing conditions and the new plantings. Mr. Burke will visit the site to ensure the plant material is satisfactory.

Mr. Grabiél explained that they showed how the trees will look after several years, not at the time of planting.

Mr. Grabiél also noted that the Fire Marshall had approved the turning radii.

Mr. Grabiél concluded his presentation at 7:34 p.m.

Ms. Shafran, Director of Community Development, reported that the hearing was advertised as required by the Unified Land Development Regulations. She noted she did not have a presentation, but referred the Board to the Staff Report on page 18 of the packets.

Ms. Shafran highlighted that the applicant could have requested up to 124 units (per the City's maximum density requirements), but actually reduced the number of units from 81 to 74. The on-street parking on NE 24 Street has been reduced from nine to three. She noted this change was compatible with the single family residences across the street. The NE 15 Avenue exit is to be used by emergency and service vehicles only. Although Ms. Shafran noted that staff still likes the original plan to allow residents to use that exit, they will defer to the Board on that decision.

Ms. Shafran continued that because of comments made at the last Board meeting regarding rental demand, staff consulted with local real estate firms and noted that information is included in the backup materials.

Ms. Shafran mentioned that this development would put a property back on the tax rolls, which would put funds back into the general fund. That amount is estimated to be \$130,000 in building permit revenue, 60% of which would be retained by the City. In addition, impact fees would bring in \$227,000. She noted this number is reduced from the previous estimate since the number of units has been reduced.

Ms. Shafran then reviewed the Development Standards in her report, noting that the changes are underlined. She pointed out that since the Board had asked for reduction in parking, the project is now deficient in parking. Staff is asking for the developer to number the parking spaces as the project goes forward.

Ms. Shafran noted that the open space went from 25% to 27%, including the park in between the two buildings on NE 24 Street.

In consultation with the applicant, Ms. Shafran stated that all utilities would be underground except for any lines that cross over to the east side of NE 16 Avenue.

Ms. Shafran remarked that the applicant had made changes to break up the scale and massing of buildings along NE 24 Street.

Chair Nein asked if any letters were received, and Ms. Shafran replied no letters were received either against or in support of the project, but members of the public did come in and look at the plans. She has a sign-in sheet of those individuals.

Chair Nein opened the floor to public comment at 7:42 p.m.

Chair Nein asked that those in favor of the project speak first, as suggested by Mr. Cirullo. Chair Nein also mentioned that in response to requests to increase time to speak, that some individuals may assign their time to another person who “has all the facts.” He asked that the Board be notified of those individuals. Furthermore, Chair Nein requested that speakers present new information, not something already given.

Dean Trantalis, business owner and member of the Economic Development Task Force, spoke in favor of the project. He clarified that he is not speaking on behalf of the Task Force, but wanted to bring some matters discussed by the Task Force to the attention of the Board. He pointed out that Wilton Manors has seen a significant population decrease in the last ten years, resulting in the amount of valuations of real estate. Mr. Trantalis said that available sources of income for Wilton Manors are diminishing. He believed this project would reverse the population trend and add to the taxable base of the community. He thought that residential is the highest and best use of the property and will add to the overall quality of the demographics, and that the Board should pass the proposal.

Since there were no more speakers for the project, Chair Nein then asked for “neutral” comments.

Wayne Jessup, 1933 Coral Gardens Drive, architect and formerly Deputy Director of the Planning Department in Fort Lauderdale, felt that the exit on NE 16 Avenue would be problematic. He thought that residents would make a right turn on NE 16 Avenue to go downtown. He suggested an exit on NE 24 Street, near NE 15 Terrace. Another point brought up by Mr. Jessup was the wall that curves around and goes south on NE 15 Avenue; he felt the wall should be pushed back more to make it more comfortable for pedestrians and provide consistency with NE 26 Street. Finally, Mr. Jessup pointed out the project opens up to the community on NE 24 and NE 16 Avenues. He felt that was a dangerous precedent and wondered if that could be mitigated in the design.

Referring to the sign-in sheet, Chair Nein called those who wished to speak in opposition to the project.

Martin Nixon, 2307 NE 15 Terrace, President of East Neighborhood Association (ENA), stated that the ENA is against the project in its current format. He listed the following as specific issues:

- 74 units puts too much pressure on the site in terms of services, parking, roadways and architectural designs.
- 160 off-street parking places including 10 on the grass - but the code calls for 182.
- 18 parking spots on the street are noted as “off-street” because they are on the swale.
- All residents are completely against on-street parking (no precedent in the neighborhood) - introduces more traffic problems.
- Code requires 10 x 23 foot parking spaces - the spaces are only 10 x 22 feet. If parking spaces were the right size, visitor spaces would only be 39 instead of 43.
- Parking space for single bedroom units are not wide enough for two cars - visitor parking may be taken up.

[Susan Burlotte dedicated her time to Mr. Nixon.]

- Visitor parking will be taken up by residents who do not have enough parking.
- The front doors of 43 units open up directly onto the sidewalk.
 - There are safety and comfort issues involved in opening door onto sidewalk.

Mr. Nixon handed out a design plan for another project, Example A. He said there are 64 townhouse units on the 8-acre site, which is more desirable.

Mr. Nixon continued that the ENA welcomed the breaking up of the design on NE 24 Street, but the blocking is still problematic on NE 16 Avenue.

Mr. Nixon pointed out that on the Future Land Use model, the property is zoned commercial. He also noted the traffic study requested by the City had not been

submitted, and requested a formal, comprehensive traffic study. He suggested blocking traffic on NE 16 Avenue from NE 24 Street, so traffic could not move south on NE 16 Avenue down NE 24 Street. He also suggested making NE 16 Avenue one-way to the north.

Ms. Ruppender asked Mr. Nixon if they had discussed what they would want to see as a development there. Mr. Nixon responded that the townhouse development was a positive project, however, a village-like retail area with bistros and restaurants might also be considered.

John Fiore stated that townhouses are a good transition from NE 26 Street going into the single-family neighborhoods. However, he thought the buildings were still too long. He suggested instead that the north corner of the west building (at NE 15 Avenue) be reduced and the road looped back into the main entrance as opposed to an entrance onto NE 15 Avenue. Mr. Fiore said he had reviewed the requests from Broward County Engineering Department regarding the plat. He said that the Planning Council stated that the development is not in compliance with the Land Use Plan.

Mr. Fiore continued, suggesting closing off NE 16 Avenue perhaps from NE 24 Street to NE 25 Street, replacing it with a lineal park. He said the lighting still spills over to properties to the west. Mr. Fiore also said the developer is going to remove the chain link fence and put no buffering between the residences to the west and to the development. Chair Nein clarified that the chain link fence will be replaced with an aluminum picket fence.

Mr. Fiore concluded that they need to hold developers to the highest standard, and only accept the best in urban planning and architectural design. He said the development in its current form is not the best, and the residents deserve to have the appointed and elected officials do their best to protect their neighborhoods.

Laura Comer, 2318 NE 15 Terrace, brought up that she did not receive a notice of this meeting or any of the previous meetings, and she lives within 300 feet of the project. She also brought up signage, commenting that the only sign put out was on NE 24 Street, at the entrance to the church. Several days ago it was moved to NE 24 Street and NE 16 Avenue. She felt it was inadequate notice.

Ms. Comer also mentioned that on-street parking and traffic is going to make the area worse and diminish the quality of the neighborhood. She suggested a barrier wall to protect their neighborhood from the development.

Ms. Comer stated that the realtors she spoke to said they needed homes for sale, not for rent.

Bruce Connelly, 2225 NE 18 Avenue, agreed with many of the comments already mentioned. In particular, he cited an architect who stated the density was too extreme

for the area. The architect also commented there is not enough common/open space. He felt the overall look of the neighborhood would change. Mr. Connelly thought there were enough multifamily/rental projects in Wilton Manors already. He said the project looks like a “row of warehouses.”

Tim Leixner, 2201 NE 17 Terrace, Board member of the ENA, clarified that Mr. Nixon was not suggesting that the whole site could be retail space. He meant that a strip of property along NE 26 Street could be retail. He challenged everyone to walk by and imagine how the project will look in the context of the neighborhood.

Mr. Leixner was opposed to neighbors across the street from the development putting parking places on their lawns, thus justifying the same in the development.

Mr. Leixner commented that “everybody is looking” for owned condominiums and single-family residences, not rentals. He said the project is several years old and behind the market times.

Sandy Moore, 2213 NE 16 Avenue, felt the entire neighborhood will plummet in value and safety. She rejected the change as presented. She wondered if pets would have an area to be safe and also if they would be contained within the project. Ms. Moore questioned the likelihood of an upscale tenant wanting to live in an 800-square foot townhouse. She wanted to know the difference between what the investment would bring back to the community versus the reduction in property value and taxes in Edgewater Estates.

Mike Rabold said he works at the Marrinson Group at 1601 NE 26 Street, which is across from the proposed project. He pointed out that the staircases are 2 feet, 3 inches; and the bathrooms are very small. Mr. Rabold reiterated there are too many units, and it needs to be reduced.

Jerry O’Hearn, 2307 NE 17 Avenue, said that it is already difficult to drive out of NE 24 Street to make the left onto NE 15 Avenue, and having more traffic will only compound the problem. He also objected to making left turns from NE 16 Avenue onto NE 26 Street. Mr. O’Hearn said that there have been comments about an increased tax base, but no mention of the associated costs of supporting the additional population. He referenced the Windermere development in Coconut Creek in the 1970s as an example where there were additional expenses.

Randy Comer, 2318 NE 15 Terrace, observed that even though “everyone here” expressed disapproval for the project, nobody seems to hear that. He remarked that the church that was there for 50 years did not pay taxes and the neighborhood “carried” them in that respect. Now the neighborhood is saying what they want.

Deborah Markowski, 2224 NE 17 Terrace, stated she did not take the oath, so Mr. Cirullo administered the oath to her. She commented that Wilton Manors is a unique

city, and there is an opportunity to add to its charm, rather than overburden the property. She favored a bistro area, but feared the extra traffic associated with the current proposal.

Chair Nein closed the floor to public comment at 8:35 p.m.

[The Board took a break from 8:35 to 8:45 p.m.]

Chair Nein called the meeting back to order at 8:45 p.m.

Ms. Shafran stated that the applicant is required to provide a certified letter that they have met the notification requirements. In this case, the notification was done by a third party planning firm, and staff has the certification letter, as well as a list of all who received notification. Ms. Shafran noted that the person who said she did not receive notice was on the list, was on the map, and was not one of the nine letters that was returned.

Ms. Shafran also brought up sign placement, noting that staff placed the sign as is required by zoning code on the longest street frontage, NE 16 Avenue. It was placed on April 1 by the Fire Marshall, and Ms. Shafran has a photograph of that. She said the sign might have been moved after placement.

Ms. Shafran spoke to the issue of density. She reminded the group that the PUD ordinance is called an Urban Infill Planned Unit Development. The concept was supposed to work specifically for Wilton Manors. Based on testimony given at the last meeting, staff looked at other cities that have a similarly built environment to find out their maximum densities. Examples of maximum densities per acre are:

- Dania Beach - 50 units, up to 150 with incentives
- Lauderdale by the Sea - 50 units
- Pompano Beach - 46 units
- Ft Lauderdale - 60 (but no maximum density in the downtown corridor)
- Oakland Park - 60 (along Dixie Highway) and 55 (in Federal Highway mixed business/entertainment overlay district); 25 units (remainder of city)

Ms. Shafran also examined other developments in Wilton Manors and provided statistics on those:

- Wilton Station - 272 units on 9.45 acres (29 units per acre)
- Multifamily structure adjacent to this site (30 units per one acre)
- Multifamily one-story structure directly to the east off NE 16 Avenue - 6 units on .31 acres (20 units per acre)
- Island City Loft - 42 units on 1.12 acres (30 units per acre)
- Gables Wilton Park - 145 units of 5.84 acres (25 units per acre)
- Belle Isle - 60 units on 2.88 acres (21 units per acre)

She pointed out that the last two developments had townhouse components.

Ms. Shafran noted that the current project is on the lower side of the density scale when compared to other projects in the city.

Ms. Shafran said that staff also contracted the Gables (145 units) and found they have 11 units listed on their website that are potentially for rent. Four are now available, and seven will be coming available over the summer. The rents range from \$1,465 for a studio loft with 686 square feet to \$2,425 per month for a two-bedroom town home at 1,667 square feet. Ms. Shafran remarked that their 3-4% vacancy seems to be the regular business model for them.

Vice Chair Berry asked Ms. Shafran how she thought the proposed project compares to Mr. Nixon's handout. Ms. Shafran commented that Mr. Nixon's document showed a suburban layout, not an urban infill project. Example A has 15 guest spaces, whereas the proposed project has 43 guest spaces. However, she noted that the two cannot be compared due to their different locations, and she said Wilton Manors would not even have room for such a development.

Vice Chair Berry wondered if the developers were doing the project "by the book" in the ULDRs, and if they are well within the rights to rezone to a PUD. He was curious if anything in their proposal would warrant the Board from stopping it from being heard from City Commission. Ms. Shafran said it was a fair statement, although the question of parking comes up. The PUD has the flexibility that the City Commission can look at those technicalities with some flexibility.

Vice Chair Berry asked Ms. Shafran if she felt it was the "highest and best use" for the area, and Ms. Shafran replied it was a "higher and better use" for the land.

Vice Chair Berry brought up the matter of a possible variance for parking, but Ms. Shafran pointed out there are no variances with a PUD. It is an ordinance that would be approved by the City Commission, and in the approval of the ordinance, the parking would be allowed. The PUD is a specific ordinance for each parcel of land that chooses to go through the PUD process and they set their own standards with their ordinance.

Vice Chair Berry also wondered if they should allow the exit on NE 15 Avenue for residents. Ms. Shafran replied the City's Traffic Engineer has looked at it and approved it, and if at some point they want to close it up, that could be easily done.

Vice Chair Berry was curious if DRC wanted a traffic study, and, if so, if it was done. Ms. Shafran responded that the code does not require a traffic study, but the staff asked for a traffic analysis, and that was received.

Chair Nein sought clarification between a traffic study and a traffic analysis. Ms. Shafran explained that the traffic analysis or traffic letter is not as in-depth. They use

data already available and do an assessment based on background and projections. Ms. Shafran said that the City Engineer opined the traffic analysis did not warrant a traffic study.

Vice Chair Berry asked Ms. Shafran for her feedback on blocking NE 16 Avenue down towards the south end of the property. Ms. Shafran commented the Public Utilities Director was not in support of that, but she did not recall the technical reason for that. The same issue was raised regarding the blocking of NE 24 Street at NE 15 Avenue.

Ms. Ruppender referred to a statement made by Mr. Fiore that the Planning Council said this project was not in compliance, and she asked for further clarification. Mr. Coker explained that it is a plat comment from the County saying that it is commercial on the land use plat until the City Commission actually allocates the flex units, then it is not in compliance until it is done. Ms. Shafran elaborated that the Broward County Administrative Rules allow for sites less than five acres with a commercial land use designation to be used for residential units with the application of flex units. It does not have to have a residential land use designation.

Vice Chair Berry wondered then if a motion would have to have a condition that the City Commission would allocate 74 units. Mr. Cirullo replied that the Board has traditionally noted it in their recommendation, even though the City Commission would be required to do it at the appropriate time. He said the Board could include it in their recommendation.

Mr. Wright was curious what determines if a traffic analysis or study is done, and wondered if the analysis done was a full analysis. Ms. Shafran responded that Section 065-010 of the ULDR has thresholds for a traffic study. She said that the threshold for a traffic study is a projected increase of 1,000 daily trips. Using a formula in the ULDR, the DRC determined the threshold was below 1,000, and thus did not require a traffic study. Even so, staff requested a traffic study because of the 81 units (in September 2012), which was provided to staff for the December 10, 2012, DRC meeting. It noted that it met the thresholds and the level of service of those roads (NE 16 Avenue and NE 26 Street).

Chair Nein recalled Mr. Nixon's comments on the parking. Chair Nein said he understands the quantity of parking can be modified under the PUD, but wondered if the size of the space could also be modified. Ms. Shafran replied affirmatively, and said that altering the size would ultimately be up to the City Commission.

Chair Nein mentioned that several speakers had talked about a village style retail center. He wondered if an analysis had been done by staff to see what would have been allowed on the property if it had been developed in compliance with the current land use classification. Ms. Shafran said an analysis had not been done. Staff had not sought proposals for the site - this project came forward and was analyzed based on the ULDRs. She added that based on the code today, the applicant could do a hospital, a

high school, a public works yard, a fire station, police station, cemetery, library, or a place of worship. Under the land use, it could be a hotel, residential, or a commercial center.

Chair Nein brought up the lighting spillover, and noted no change from the last time. Ms. Shafran said staff did not comment on it this time, but will do so.

Chair Nein raised the topic of ownership types. He wondered if ULDR dictates the type of ownership, and Ms. Shafran said it does not. She added it is a business decision, not a government decision.

Chair Nein wondered if the City police would have the authority to enforce the traffic movement from the private property onto the public property (regarding the left-turn problems and access). Mr. Cirullo responded that if a sign is there that controls the flow of traffic, then he thought they could make a turn where indicated. A traffic violation occurs onto the public road when they complete that turn, even though the sign would be on private property. Mr. Cirullo stated they would have to make sure they get the proper signage from Broward County.

Regarding testimony made regarding potential issues that may come from the County related to the plat about a non-vehicular access line that may stretch greater than what is shown on the property diagram, Chair Nein remarked that they knew early on that this was an issue, and the plat should have come in with the site plan and the rezoning. He wondered what would happen if the Board approved the site plan, but the County comes back and tells the developer they have to do certain things on the plat that would drastically modify the site plan, which could even affect the PUD document itself. Ms. Shafran responded that the code says that if there is a modification to the site plan that increases density by 5% or makes a major modification to the plan, or affects one of the conditions of the approval, it has to come back to the Planning and Zoning Board. She suggested adding a condition to the approval that it would have to come back to the Board under that circumstance. Ms. Shafran added that staff has already recommended that it should not proceed to the City Commission until the plat comments have come back from Broward County. Mr. Cirullo stated that they are separate applications, and the Board could make a condition that the plat is finalized consistent with the approval of the County before it goes to the City Commission. The plat would then naturally come back to the Board before going to the City Commission.

Ms. Stadnik asked Ms. Shafran if staff had done any long-term analysis to see what might offset the impact fees. Ms. Shafran replied that the impact fees have been examined by the Finance Department and the City Commission, and they fit the City standards and the City budget.

Chair Nein clarified that the fees listed on page 19 of the packet are City impact fees, not County impact fees. Ms. Shafran noted that she had referred the applicant to the County for an estimate of the County's impact fees.

Ms. Ruppender was curious how much revenue would be generated annually once the project is complete and occupied. Ms. Shafran said the Finance Director said it could be compared to Gables/Wilton Park, from which the City receives \$100,000 annually. Ms. Shafran noted it is based on the construction cost and the change in property, not the number of units. Chair Nein pointed out that ultimately the number of units determines the value, which determines the taxable value and then what the revenue is. Ms. Shafran reiterated that the Finance Director provided her an estimate of \$100,000 based on comparing it to Gables/Wilton Park. The revenue from Gables was scaled down to fit this project.

Vice Chair Berry wondered why they would not be allowed to “channelize” the corners at the exits, and Ms. Shafran replied that the Fire Department was concerned about fire truck access. The Fire Department recommended striping and signing instead.

Vice Chair Berry said he did not see a “Do Not Enter” sign at the exit on NE 15 Avenue. Ms. Shafran said that could be clearly marked to avoid confusion.

Ms. Ruppender mentioned she was troubled by the possible loss of the character of the neighborhood. She added that Wilton Manors has a certain charm and character, and she said it would be nice to have a guarantee that Urban Dynamics would do everything they could to preserve that, meaning a sense of place rather than specific architectural style.

Ms. Shafran answered that it is a change to the character of the neighborhood. The same argument had been made before when earlier proposed drawings have come up. The plans that came to the DRC on September 10, 2012, are much different than what is now proposed. The originals were sleek and modernistic, and the new ones lend themselves more to the neighborhood. Ms. Shafran displayed the old plans to the Board, and noted that the developers spent a lot of time looking around the area to get a better sense of the neighborhood style.

Mr. Coker then commented that they got the County comments on the plat late on April 5, 2013. The differences between the County comments and what is shown on the plat are the following: a corner chord on NE 15 Avenue and NE 26 Street. A sliver of land solves that problem, which will have no impact except for a few feet. Also, the County put a non-vehicular access line along NE 15 Avenue, and eliminated any access. Their tradition is to allow emergency access, and Mr. Coker was confident they could put a note on the plat showing there will be emergency access. The question will be whether the County will allow service trucks to go out there. However, the general public will not be allowed to use the access.

Mr. Coker said there is a non-vehicular access line 90 feet from the NE 26 Street right-of-way on NE 16 Avenue, right at the access drive on NE 16 Avenue. Five feet has been dedicated by the developer, and they will speak to the County about an easement.

The five feet may get shifted. One of two things will happen;

1. The main entrance on NE 16 Avenue will be shrunk by five feet, or
2. They will talk to Broward County, who will change their comments to 85 feet (more likely).

Mr. Coker did not foresee any changes to the site plan.

Vice Chair Berry brought up an apparent discrepancy in the depiction of the tile roofs between pages A-8 and A-10 in the elevations. Mr. Grabiell noted that A-10 was the correct rendering, showing two levels of barrel tile roof.

Vice Chair Berry commented there was no irrigation plan, and Mr. Grabiell responded there is no irrigation plan at the time, but one will be available when the full set of construction documents are done. Mr. Coker stated that the City has overlap standards, and the irrigation plan has to comply with the coverage standards.

Vice Chair Berry asked about the differing number of palm trees on different renderings. Mr. Grabiell stated they did that so as not to hide the buildings, and the correct number of trees is shown on the landscaping plans.

Vice Chair Berry verified that the County will not allow a public exit onto NE 15 Avenue.

Vice Chair Berry was curious about the details of the tree mitigation plan. Mr. Grabiell stated that Peter Burke from the County has seen their preliminary application. Mr. Burke will visit the site and look at each specimen to determine if he agrees with the recommendations to remove or move about. After that, they will go to the next step. Mr. Grabiell said that based on their first meeting, Mr. Burke felt there was probably enough new material coming in to mitigate the existing landscaping. Mr. Grabiell added they are actually putting in more material than what is required by code.

Vice Chair Berry asked Mr. Coker if they would object to a condition that the site plan design approval would be subject to the modification based on resolve of the final plat approval. Mr. Coker replied they would not. He did not foresee any significant changes required by the County.

Mr. Wright wondered if they would be amenable to suggestions regarding the landscaping, such as slash pines instead of the suggested plantings. Mr. Grabiell replied that he will meet with the landscape architect.

Ms. Ruppender requested they get both male (or at least one male) and female Dahoon Hollies in order to produce berries. Mr. Grabiell said he would inform the landscape architect.

Chair Nein was curious when Mr. Burke will respond to the application, and Mr. Grabiell relayed they have to return their preliminary application to Mr. Burke based on the

comments made at this meeting. Mr. Grabiell also noted that Mr. Burke told them it would take a month for him to come back with the final permit for mitigation, putting that event in mid-May.

Chair Nein wondered how they would control who parks in the visitor parking spaces (such as a resident who frequently uses a visitor spot for parking). Mr. Coker replied that the rules and regulations in the lease will speak to that. Chair Nein pointed out that a two-bedroom unit can have no more than three cars, and the one-bedroom can have no more than two cars. If all residents exercised their right to that number of cars, Chair Nein said there would not be enough parking. Mr. Coker explained that parking ratios are based on averages, not worst-case scenarios, and their ratio is “over and above” anything else in the area. Mr. Coker continued that they permit a two-bedroom to have three cars to allow for flexibility for those few residents who would have three cars.

Chair Nein asked about the location of garbage cans for the residents. Mr. Coker replied they redesigned the plans based on the comments from the last Board meeting. A notch has been cut out at the two-bedroom units in the carport area that fits the garbage cart (there was no need for that in the one-bedroom units). Residents then roll the cart out to the curb.

Chair Nein was curious if the community was open to the public to walk through. Mr. Coker said that the public pedestrian access is along NE 26 Street, NE 15 Avenue, NE 24 Street, and NE 16 Avenue. There is no law that would prohibit the public from walking inside the development, but it is not meant for them to walk through the interior. The public spaces are along the perimeter, which would include the butterfly garden and the dog park. Mr. Coker was not sure about the green strip that was added along NE 26 Street along the north, but where they moved the sidewalk to put a green strip in is for the general public.

Chair Nein brought up the lighting on the plans. Mr. Coker stated that the plans note that on the side in question, all lights will be shielded to prevent spillover.

Chair Nein mentioned that the parking spots noted on A1 of the site plan were cut were done so to try to preserve the slash pine. He said that one of the spots is only five feet away from the trunk of the pine and suggested moving the spots so that they do not interfere with the canopy of the pine. Mr. Grabiell said they will move them west.

Chair Nein mentioned there used to be a sheet in the packet (A3) that had the sections indicated on A1: 1, 2, and 3. He wondered why that sheet was not in the packet. Apologizing for the oversight, Mr. Grabiell responded they have the sheet, and said it was exactly the same.

Chair Nein brought up the covers on the balconies, noting they are more of a “door overhang” than a cover. Mr. Grabiell said they did a combination to create architectural variety and break up the massing look. Some are over the doors and some cover the

entire balcony. Chair Nein wondered if the larger covers could project out further to the edge of the railing, and Mr. Grabiell said they are proposed to extend to the edge of the railing.

Chair Nein asked what roofing material would be used for the carport. Mr. Grabiell replied it will be a lighter colored metal roof.

Chair Nein verified that any parking spot on NE 24 Street or NE 16 Avenue would be pavers, not asphalt.

Referring to page 5 and noting varying architectural styles, Chair Nein wondered why the roof materials over the units would not be changed to match the units underneath. Mr. Grabiell responded that the roof is the common denominator so it looks like a village from far away.

Chair Nein noted a lot of variation in the colors of the roofs on A8 and A10 and wondered which color would be used. Mr. Grabiell answered they would all be light colors such as off-whites, grays, and light tones. He said that the roof colors would more closely resemble those on A10 rather than A8.

Regarding the façade portion of the units facing NE 26 Street, Chair Nein commented if you take away the landscaping, the façade is fairly plain. Mr. Coker said that was not a unit, but just a garden wall with a punch window.

On L2, Chair Nein noted that he saw several plantings along NE 26 Street, neither of which provided any shade canopy. He added that with the 20-foot setback, there is room for shade trees at the back of the setback. Mr. Grabiell responded they would take a look at it.

Vice Chair Berry pointed out that the parking calculations are right on the plans, but wrong in the PUD on page 4. He also pointed out that the detail for the two-bedrooms are right at 2.7, but the map is wrong.

On page 10 of the PUD, Vice Chair Berry wondered if they could insert something to prohibit use of the carports for storage (Number 10). In addition, in Number 15, he wanted to add that no non-operational or vehicles with expired tags may reside. On page 9, Rules and Regulations Number 2, Vice Chair Berry asked if they could add a rule that nothing could be hung or displayed from the balconies. Also, on Number 5, Vice Chair Berry requested adding “or balconies” to that item. Mr. Coker agreed to the additions.

Mr. Coker stated they have gone through two public hearings at this Board, two DRC meetings and months of meeting with staff and residents. He noted it is impossible to please everyone, but they have made the effort. He said the developer has made changes in good faith, based on comments from the community. Mr. Coker hoped the

residents would take that as an indication of how the developer will proceed with the construction and maintenance of the property over the years.

Motion by Vice Chair Berry, seconded by Ms. Ruppender, to approve PUD RZ 12-01, for the Urban Dynamic Communities, the Village at Wilton Manors, 1550 NE 26 Street in Wilton Manors, to rezone from a Community Facility to a PUD-C, which is a Planned Unit Development, with the condition that any conditions related to PL 13-01 (plat) have been satisfied. In a vote by roll call, the motion passed (4-3) as follows: Ms. Ruppender, yes; Ms. Stadnik, no; Mr. Ferraro, yes; Ms. Rochlin, no; Vice Chair Berry, yes; Mr. Wright, yes; Chair Nein, no.

Vice Chair Berry commented that the Board is not here to pick and choose developers, and they are well within their rights to rezone this PUD. He felt it was the best and highest use for the land.

Motion by Vice Chair Berry, seconded by Ms. Ruppender, to approve Site Plan 12-04, The Village at Wilton Manors, 1550 NE 26 Street, Wilton Manors, with the condition that the approval of conditions of the site plan design is subject to modifications based on the result of the final plat approval. In a vote by roll call, the motion passed (4-3) as follows: Ms. Stadnik, no; Mr. Ferraro, yes; Ms. Rochlin, no; Mr. Wright, yes; Vice Chair Berry, yes; Ms. Ruppender, yes; Chair Nein, no.

Vice Chair Berry felt they need a healthy “hip” market to compete with the surrounding areas. He said there is not enough activity in Wilton Drive in the day to support little shops. He believed the urban rental market will help balance both sides of the FEC Corridor and will also help try to get the train stop in the area.

c) PL 13-01

Owner/Applicant: First Church of Religious Science, Inc.

Agent for Applicant: Public Land Surveyors, Inc.

The Village at Wilton Manors

1550 NE 26 Street

Wilton Manors, FL

Plat approval for a multifamily residential development.

Chair Nein reminded the Board that they will be making a recommendation to the City Commission. Mr. Cirullo also stated that it is still a quasi-judicial hearing, and they will go through the same order of comments and presentations. Everybody who was sworn in earlier is still under oath.

Mr. Coker, representing the applicant, stated the plat is just a map of the property with certain boundaries and dedications.

Mr. Coker pointed out that the plat application shows a five-foot right of way dedication on NE 26 Street and a corner chord as required by Broward County on NE 26 Street and NE 16 Avenue. The newly received County comments on the plat also require a non-vehicular access line on NE 15 Avenue and a small corner chord on NE 15 Avenue and NE 26 Street. Any conflicts that may arise will be resolved through the City Commission and Broward County, but he did not foresee any problems in that regard.

Vice Chair Berry noted that staff had asked for the southeast corner to be rounded out. Mr. Coker responded that the southeast corner shows a corner chord and is rounded off on the plat. Ms. Shafran will address it during the staff presentation.

Chair Nein asked Mr. Coker if he would agree to the City requesting a non-vehicular access on NE 24 Street. Mr. Coker said the non-vehicular access line was a creation of a County land development code, and unless the City has it in its code, it does not exist except with respect to County roads. Mr. Coker added that the City is covered, but Broward County is different because they do not have the next site plan step that the City has.

Regarding a question brought up by Chair Nein about perimeter utility easements, Mr. Coker stated that the DRC said it is “traditional” that (at least) the preliminary plat has the twelve-foot utility easement around the perimeter, but said that is “always wrong.” He said they plan to discuss the need for easements with the utility provider and provide the needed easements. Mr. Coker said that they probably will not need extra utility lines except lines servicing the property, and the developer will provide those. They will likely be provided not by plat, but by separate instrument as each utility dictates. It is done by sketch and description.

Ms. Shafran deferred the role of staff to Robert Collins, representing Michael Miller Planning Associates, who did the review of plat.

Robert Collins, consultant City Planner, with Michael Miller Planning Associates, resides at 2271 NE 9 Avenue. Mr. Collins said that his recommendation is that the Board’s recommendation should be subject to the DRR (Design Review Report) from the County. The report has been issued but staff has not reviewed it yet. He said the applicant has five months after the DRR issuance in which to write a letter of no objection or objection. When the municipality has approved the plat, the County will take it up.

Mr. Collins spoke about the chords that the County wants on NE 26 Street and NE 16 Avenue, noting that most other plats have rounded corners. The County likes to do chords on major roads because they end up placing equipment there, such as traffic control boxes and so forth. He said that in residential areas, rounded corners are preferred to right angles.

Mr. Collins also remarked that the Board should mention in its motion about the plat note being adjusted to 74 units instead of 77 units. He added it has to be specific as to whether the development is commercial or residential. Chair Nein wondered if they can get the proper note on the plat with the recording of the plat if they get all the way through and get the rezoning approved before they submit. Mr. Collins said that the City Commission will approve it subject to the site plan being approved. At the end of the process, the ordinance that the City will prepare will say “subject to” and so forth. When it comes back for signatures after the County approves it, staff will check to make sure that the note was properly changed.

Chair Nein stated he wanted to make sure that what is on the note is what gets approved by the City Commission. Mr. Collins said they could say that 74 is approved by this Board or the amount of units reflective of the City Commission’s approval.

Chair Nein brought up the public spaces (butterfly garden and dog park), wondering if they would need to be covered by an easement on the plat specifying those areas for public use. Mr. Cirullo responded that it probably would not have to be on the plat, but it would be reflective of the site plan that is being approved.

Chair Nein opened the floor to public comment at 10:25 p.m.

Hearing none, Chair Nein closed the floor to public comment at 10:25 p.m.

Ms. Ruppender asked if the property had ever been platted before, and Mr. Coker replied in the negative.

Motion by Mr. Berry, seconded by Ms. Ruppender, to approve PL 13-01, The Village at Wilton Manors, plat approval for 1550 NE 26 Street, Wilton Manors, plat approval for a 74-unit multifamily residential development with one condition: that the plat shall not proceed to the City Commission until preliminary comments are received by Broward County Planning and Environmental Regulation Division as part of the County plat application review process, and City staff confirms sufficiency for the City Commission. In a vote by roll call, the motion passed (5-2) as follows: Mr. Ferraro, yes; Ms. Rochlin, no; Mr. Wright, yes; Vice Chair Berry, yes; Ms. Ruppender, yes; Ms. Stadnik, no; Chair Nein, yes.

VI. Staff Report

Ms. Shafran said there may be a commercial building at 2400 Wilton Drive coming before the Board at the next meeting.

VII. Board Comments

None.

VIII. Adjournment

Motion by Ms. Ruppender, seconded by Vice Chair Berry, to adjourn the meeting. Hearing no opposition, Chair Nein adjourned the meeting at 10:30 p.m.

[Minutes submitted by J. Rubin, Prototype, Inc.]

Attachments:

PowerPoint presentation (Julio Grabiell)

Example A, design project (Martin Nixon)

Certification letter and lists from third party re: noticing of meeting (Heidi Shafran)

Photograph of sign on NE 16 Avenue (Heidi Shafran)

Original plans for the project (Heidi Shafran)