

MINUTES

BROWARD COUNTY PLANNING COUNCIL

June 22, 2017

MEMBERS Thomas H. DiGiorgio, Jr., Vice Chair
PRESENT: School Board Member Patricia Good, Secretary
Brion Blackwelder
Commissioner Richard Blattner
Commissioner Felicia Brunson
Commissioner Angelo Castillo
Mayor Bill Ganz
Mary D. Graham
Richard Grosso
David Rosenof
Richard Rosenzweig
Mayor Michael J. Ryan
Mayor Jack Seiler, via telephone
Commissioner Michael Udine, via telephone
Commissioner Beverly Williams

MEMBERS Commissioner Michelle J. Gomez
ABSENT: Mayor Daniel J. Stermer, Chair

ALSO Barbara Boy, Executive Director
PRESENT: Andy Maurodis, Legal Counsel
Kenneth Wenning, Planner
Nancy Cavender, The Laws Group

A meeting of the Broward County Planning Council, Broward County, Florida, was held in Room 422 of the Government Center, Fort Lauderdale, Florida, at 10:00 a.m., Thursday, June 22, 2017.

(The following is a near-verbatim transcript of the meeting.)

CALL TO ORDER:

Vice Chair Thomas DiGiorgio called the meeting to order.

COMMISSIONER UDINE: Hello?

COMMISSIONER UDINE: Hello. This is Michael Udine calling in.

MS. BOY: Commissioner Udine.

MR. DIGIORGIO: Good morning, everyone.

COMMISSIONER UDINE: Good morning.

MAYOR SEILER: Good morning. This is Jack Seiler calling in.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MS. BOY: Yes. We have Mayor Seiler and Commissioner Udine joining us by telephone this morning.

MR. DIGIORGIO: Outstanding.

MAYOR SEILER: Thank you.

COMMISSIONER UDINE: Thank you.

MR. DIGIORGIO: All right. The meeting of June 22nd, 2017 for the Planning Council of Broward County is now in session. Please stand for the Pledge of Allegiance. Ms. Mary Graham, will you lead us?

MS. GRAHAM: Yes, I will.

PLEDGE OF ALLEGIANCE:

(THE PLEDGE OF ALLEGIANCE WAS LED BY MARY GRAHAM.)

ROLL CALL:

MR. DIGIORGIO: Nancy, please call the roll.

THE REPORTER: Yes, sir. Mr. Brion Blackwelder.

MR. BLACKWELDER: Here.

THE REPORTER: Commissioner Richard Blattner.

COMMISSIONER BLATTNER: I'm here, but you probably can't see me. I'm in the short chair again.

(Laughter.)

UNIDENTIFIED SPEAKER: Ms. Good is not here yet. You can switch.

THE REPORTER: Commissioner Felicia Brunson.

COMMISSIONER BRUNSON: Here.

THE REPORTER: Commissioner Angelo Castillo.

COMMISSIONER CASTILLO: I'm here, and I'll sit down just to make him feel better.

(Laughter.)

THE REPORTER: Mr. Thomas H. DiGiorgio, Jr.

MR. DIGIORGIO: Here.

THE REPORTER: Mayor Bill Ganz. Commissioner Michelle J. Gomez. School Board Member Patricia Good. Ms. Mary D. Graham.

MS. GRAHAM: Here.

THE REPORTER: Mr. Richard Grosso.

MR. GROSSO: Here.

THE REPORTER: Mr. David Rosenof.

MR. ROSENOF: Here in a big boy chair, as you can see.

THE REPORTER: Mr. Richard Rosenzweig.

MR. ROSENZWEIG: Here and (inaudible).

THE REPORTER: Mayor Michael J. Ryan.

MAYOR RYAN: Present.

THE REPORTER: Mayor Jack Seiler.

MAYOR SEILER: I'm here, but I can't see Richard Blattner.

(Laughter.)

THE REPORTER: Commissioner Michael Udine.

COMMISSIONER UDINE: Present.

THE REPORTER: Commissioner Beverly Williams.

COMMISSIONER WILLIAMS: Here.

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THE REPORTER: Mayor Daniel J. Stermer, Chair.

MR. DIGIORGIO: Thank you.

CONSENT AGENDA

AGENDA ITEM C-1 - APPROVAL OF FINAL AGENDA FOR June 22, 2017

AGENDA ITEM C-2 - JUNE 2017 PLAT REVIEWS FOR TRAFFICWAYS PLAN COMPLIANCE

AGENDA ITEM C-3

A. APPROVAL OF MINUTES OF MAY 25, 2017

AGENDA ITEM C-4 - EXCUSED ABSENCES

MR. DIGIORGIO: Okay. We have the Consent Agenda next on the agenda.

MR. DIGIORGIO: We have a few excused absences. We have Mayor Stermer, as you notice, is not here. And Commissioner Gomez.

COMMISSIONER CASTILLO: So **moved**.

COMMISSIONER WILLIAMS: Second.

MR. DIGIORGIO: We have a motion and a second. Any further discussion? Hearing none, all those in favor, please signify by saying aye. Thank you.

VOTE PASSES UNANIMOUSLY.

REGULAR AGENDA

AGENDA ITEM R-1 - LETTER OF UNDERSTANDING - BROWARD COUNTY PLANNING COUNCIL ATTORNEY LEGAL SERVICES UPDATE

MR. DIGIORGIO: R-1.

MS. BOY: Good morning.

MR. DIGIORGIO: Madam Executive Director.

MS. BOY: Good morning. Thank you. Item R-1 is an update of a Letter of Understanding for the Broward County Planning Council Attorney Legal Services Update. As you may recall, at last month's meeting, we had a brief discussion about Mr. Maurodis, whose initial Letter of Understanding is dated 1995. Subsequent to being our attorney for all of these years, Mr. Maurodis has joined Weiss Serota firm, so the Letter of Understanding references that in the update. The approval of the Letter of Understanding would be at the pleasure of the Council.

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COMMISSIONER CASTILLO: So **moved**.

MR. DIGIORGIO: We have a motion --

MS. WILLIAMS: Second.

MR. DIGIORGIO: -- a motion by Commissioner Castillo and second by Commissioner Williams. Any further discussion? All those in favor, please signify by saying aye. Are there any opposed? It is unanimous. Congratulations --

MR. MAURODIS: Thank you very much.

MR. DIGIORGIO: -- and thank you.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM R-2 - COUNSEL'S REPORT

MR. DIGIORGIO: R-2. At this time -- I'm going to ask, because there's some lengthy discussion items, or possible lengthy discussion items, I'm going to ask Counsel if we could move that to the end of the agenda.

MR. MAURODIS: Certainly.

MR. DIGIORGIO: Excellent. Thank you.

AGENDA ITEM R-3 - EXECUTIVE DIRECTOR'S REPORT

MR. DIGIORGIO: R-3, Executive Director's Report.

MS. BOY: Good morning. Just a couple of items to follow up on. Subsequent to the May 25th Planning Council meeting, you may recall that I sent out an email from Mayor Stermer to all the Planning Council members. In August, it was agreed that we would bring the comments forward that Mr. Blackwelder and Mr. Grosso provided regarding the Broward County Land Use Plan, and Mayor Stermer wanted to extend that invitation to all members if they have any comments so we can compile them with staff to present at the August Planning Council meeting. I will send out a reminder email after this meeting, just if anyone has any comments that they want included in that document.

Also, you may recall that the affordable housing workshop that we discussed inviting all the municipal officials to, Planning Council staff has been working with County staff to identify some park locations. Just this week, we got some dates. I forwarded those to Mayor Stermer and we will be sending those out to you to poll you for your availability. It looks like the first couple of weeks of August for -- will be best. Mayor Stermer just thought, because the County Commission is on break in July, as opposed to trying to schedule something then, wait until the August timeframe. So we'll be sending those

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dates out also.

The final item is I just want to introduce, we have a new staff member, a new planner. His name's Kenneth Wenning. I don't know where he is. He's right here. He's a new planner joining us from the private sector. We're really excited to have him on board. And also coming up, you may recall that we had hired a part-time kind of intern GIS planner, and he's been with us since November, and we will be reclassifying him to a full-time planner effective the beginning of July. He's not at this meeting, but he will -- he'll be here surely in August. So I just wanted to make those couple of announcements.

And then as far as the Public Hearing items go, in your agenda you saw that Public Hearing Item 1 was deferred by the -- at the request of the applicant, and will be rescheduled for a future Planning Council meeting. Public Hearing Item 2 has one member of the public signed in to speak, and then the other two are for questions only. Public Hearing Item 3 has -- I'm sorry, we have two members of the public signed in to speak on Item PH-2, and then two for questions only. And we have 13 people, 13 members of the public signed in to speak on Item PH-3.

MR. DIGIORGIO: Okay. Thank you very much. Are there any questions for Ms. Blake Boy? Excellent.

AGENDA ITEM R-4 - CORRESPONDENCE

MR. DIGIORGIO: And there is no further correspondence, no --

MS. BOY: There's no additional correspondence at this time.

MR. DIGIORGIO: Excellent. Thank you. Welcome, Kenneth.

PUBLIC HEARING

AGENDA ITEM PH-1 - RECERTIFICATION PC 17-11

MR. DIGIORGIO: Okay. PH-1 has been deferred.

AGENDA ITEM PH-2 - AMENDMENT PC 17-5

MR. DIGIORGIO: We're on to PH-2. Ms. Blake Boy. Nancy, let the record show that School Board Member Good has shown up.

MS. BOY: Good morning. This is the second Public Hearing for this PC 17-5 located in the City of Deerfield Beach. It is approximately 109 acres from primarily commercial recreation, and a small piece of medium high 25 residential to irregular 3.81 residential, for a total of approximately 415 dwelling units.

As I mentioned, this is the second Public Hearing. The Planning Council recommended

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approval at your March Public Hearing, recognizing the voluntary commitments for open space and emergency site dedications. Planning Council staff analysis -- this -- since it is the second Public Hearing, I should mention that this was transmitted to the state review agencies by the County Commission in April. We received no comments of statewide impact back from any of the agencies, but we did receive some technical comments from the Florida Department of Transportation, which are included in your backup as Attachment 17. Staff's response to those comments is Attachment 18, and the applicant's response is Attachment 19. In addition, subsequent to your request for the first Public Hearing, we received one piece of correspondence from a member of the public, and that is included in your backup as Attachment 16.

Planning Council staff analysis continues to find sufficient facilities and services available for this proposed land use, as well as the analysis of the new -- newly called Policy 2.5.5, old policy 5.04.04, regarding golf courses and the other -- the specific policies that need to be addressed when you're proposing a conversion of a golf course to another use, which is the case with this. Planning Council staff continues to recommend approval.

We have two members of the item signed in to speak, and then a representative of the city and a representative of the applicant. The first public speaker is Mr. -- sorry -- Commissioner Bernard Parness.

MR. GROSSO: Mr. Chair, before we get started, am I the only one who's having a hard time hearing?

COMMISSIONER BLATTNER: No.

MR. DIGIORGIO: It's a little bit off today.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MR. DIGIORGIO: There's an echo.

MR. GROSSO: I want to make sure we can hear the public and you as well, but --

MS. BOY: Right, right, right. So can you hear us in the back that there's an echo?

UNIDENTIFIED SPEAKER: Yes.

MS. BOY: Is that better?

MR. DIGIORGIO: That's better.

MS. BOY: Okay.

UNIDENTIFIED SPEAKER: Okay.

MR. DIGIORGIO: Thank you, Mr. Grosso.

MS. BOY: Thank you. I couldn't hear it. Thank you.

COMMISSIONER PARNES: I represent the people of District 3 in Deerfield Beach, and this is just about the last piece of open space in Deerfield in this sector. We have a lake. It was once 700 acres. Now it's 150. Building filling in has diminished that to almost nothing. This is the last moderately priced golf course in Deerfield. It's almost the last open space in Deerfield.

The residents of District 3 would like it not to be built on. They have come to me and asked me to speak on their behalf, don't take away the last open space in District 3. So, please, think before you vote. Thank you.

MR. DIGIORGIO: Thank you, Mr. Parnes.

MS. BOY: The next --

MAYOR RYAN: Mr. Chair? Mr. Chair, I have some questions for Mr. Parnes, if possible.

MR. DIGIORGIO: Yes. Mr. Parnes, please take the podium. We have some questions.

COMMISSIONER PARNES: Sure.

MR. DIGIORGIO: Mayor Ryan.

MAYOR RYAN: Thank you. Thank you for being here. It's good to see you again. What work has been done with the residents in the area to negotiate with the developer on whether it's some buffering or other issues that would blunt the impact of any development?

COMMISSIONER PARNES: Well, they met with the new owner several times, and I don't believe that there was any accommodation given. It is what it is.

MAYOR RYAN: Was there any effort by Deerfield to actually purchase the property to avoid the development rights that exist on it?

COMMISSIONER PARNES: The city?

MAYOR RYAN: Right.

COMMISSIONER PARNES: No.

MAYOR RYAN: All right. Thank you so much.

COMMISSIONER PARNES: You're welcome.

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MR. DIGIORGIO: One more question --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. DIGIORGIO: -- Commissioner Parness. School Board Member Good.

MS. GOOD: Yes, good morning, Commissioner.

COMMISSIONER PARNES: How are you?

MS. GOOD: Has, again, the City of Deerfield Beach, as a governing body, had an opportunity to weigh in to the proposed project, and have they provided a recommendation?

COMMISSIONER PARNES: I was not on the City Commission when it was voted on --

MS. GOOD: Okay.

COMMISSIONER PARNES: -- so I don't know.

MS. GOOD: Okay. Thank you.

COMMISSIONER PARNES: You're welcome.

MS. GOOD: Staff -- (Inaudible.)

MR. DIGIORGIO: Mayor -- Mayor Ganz, would you like to respond to that?

MAYOR GANZ: Yes. It was passed 5-0 at the time.

MS. GOOD: Thank you, sir.

MAYOR GANZ: Thank you.

MS. GOOD: Thank you.

COMMISSIONER PARNES: Thank you.

MR. DIGIORGIO: Further questions for Mr. Parness?

MS. GRAHAM: I have some.

MR. DIGIORGIO: Ms. Graham.

MS. GRAHAM: Thank you, Chair. You were on our Broward Planning Council --

COMMISSIONER PARNESS: Yes, I was.

MS. GRAHAM: -- at the time this had first come up, so just a couple questions I'd like to have on the record, if you can answer.

MR. DIGIORGIO: I don't believe he was on the Planning Council when this first came to us.

COMMISSIONER PARNESS: No. I was elected just before that meeting.

MS. BOY: He wasn't on it. So his last meeting --

COMMISSIONER PARNESS: I was not.

MS. BOY: -- was February, and this came to you in March.

MS. GRAHAM: Okay. Because I voted -- I voted for it at the first hearing. Would the city have had the funds to have purchased this at the -- at the time before the development moved forward with the new owner? Would the city have had funds or access to those funds or a bond?

COMMISSIONER PARNESS: Well, being that I wasn't on the Commission, perhaps Mayor Bill Ganz can answer that.

MS. GRAHAM: Okay. Well, again, I'm asking just as a citizen if there was ever discussion. And the second question, to vote against this now, what would be the grounds that you would expect us to vote against it? Other than your --

COMMISSIONER PARNESS: Diminishing green space and the will of the residents of that community.

MS. GRAHAM: Right. But technically -- and -- and we're going to hear this on another item that's on the agenda today that was here last month, as we've been reminded by counsel and Barbara's staff, there's different criteria that we can evaluate a proposal, and we vote yes or no. And, believe me, I agree. The end of the green space -- you probably know I voted against many golf course developments while you were on this board, and even prior, since 2011. And I may have been the only no vote.

My biggest concern now, and this is something, when it comes back to City Commission, that you may have some leverage on, we just had major flooding from rains that were longer than expected over the County in every municipality. As I mentioned at the last meeting, I'm more concerned about what they're going to do with the groundwater up there, because to make the lakes that were made on his graphic, his site plan that he presented -- and it wasn't a detailed site plan, it was just a kind of sketch that he had presented, the developer -- once the water flows below grade, it's going to move. It's not going to necessarily stay within any one property.

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And he made those lakes, I presume, to excavate the dirt so that he could build up the finished floor elevations for all of the housing, because the elevations are probably too low for the flood -- flood designation that's there. So I think as they evaluate control of their groundwater on their civil drawings, they may have to scale back the project, because they're eliminating too much of the pervious area to be able to handle a flood. I mean, no one wants to build a brand new development and have it flooding as they're trying to sell homes.

So, unfortunately, I'm not going to change my vote. I agree with you a hundred percent, but I don't have the grounds to vote against it at a second hearing simply because I think Deerfield should preserve their green space. I think it's a wake-up call to any of the municipalities that have green or open space left, that if they really want to keep it from being developed, buy it. If they don't have the funds, do a bond. It's -- it's not an easy sell until we're at the stage where we are right now, 11th hour, where the development is going to be approved and he's going to get his permits as quick as he can. But thank you for making the presentation. I just wanted my comments on the record. But I agree with you.

COMMISSIONER PARNES: Thank you.

MS. GRAHAM: I mean, the green space is precious. Once it's gone, once the open space is gone -- but you can use the argument of the storm water control to be able to give you your end result.

MR. DIGIORGIO: Thank you, Ms. Graham.

COMMISSIONER PARNES: Thank you.

MS. GRAHAM: Thank you.

MR. DIGIORGIO: Please stay there, Mr. Parnes. One more question. Commissioner Castillo.

COMMISSIONER CASTILLO: I -- I can't add another word to what my colleague Commissioner Graham has just said. This is a -- this is -- this is a very difficult thing. And it's not just happening in Broward County. It's also happening in Palm Beach. I see it all the time. We built these many, many, many beautiful golf courses during a time when people were using them. And the fact of the matter is, while golf on TV has never been more popular, fewer rounds are being played than ever before, even in our state, which is the world capital of golf.

And I -- it -- it's a very difficult situation. We had it in Pembroke Pines with Raintree. It was a beautiful property, Raintree. It was -- the owner came to us and said, please, I can't do it anymore. I'm going to have to abandon the property and let it go fallow. And then it will be an eyesore to you. I cannot afford to lose this kind of money every month.

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Can't do it anymore. Will you buy it? And the residents of Pembroke Pines didn't want to buy it, but they didn't want to lose it. So it's like wanting to go on a date but you don't want to pay for the bill.

Like, you know, you have to make a decision. You have to make a decision. You either -- you either -- you either want -- you either want the property and you want to preserve it or you don't, and you've got to move on. And it's a very difficult situation. And it was frustrating for us, because we didn't want to lose it. So I can understand how you and the good people at Century Village feel about this. It's horrible. But I don't see a cause in the land use rules that we sit in judgment of to vote against this. So it's -- it pains me. You have spoken so eloquently on behalf of your -- of your residents, and we have great respect and regard for you, but I don't -- I don't see a basis to say no to it. Sorry.

MR. DIGIORGIO: Commissioner Blattner.

COMMISSIONER PARNES: One small correction. This is not Century Village. This is Crystal Lake complex.

COMMISSIONER CASTILLO: Oh, I'm sorry. Yes, correct.

MR. DIGIORGIO: Thank you.

COMMISSIONER PARNES: Any other questions for me?

COMMISSIONER BLATTNER: I think one of the things that you have the opportunity, you and the mayor, and Mayor Bill Ganz, and your Commission is to -- is to mitigate as much of the what you see as negatives on this project as possible. Take the advantage of what Ms. Graham said, you know, the drainage issues, give you opportunities to create green space, open space. You have that opportunity at the local level. But, yeah, I just to say, Commissioner Castillo, what you said about privately owned golf courses applies to municipally owned golf courses as well. We lose \$500,000 a year on Orange Brook --

COMMISSIONER CASTILLO: Yeah.

COMMISSIONER BLATTNER: -- and so we can't afford to do that.

MR. DIGIORGIO: Thank you, Commissioner.

COMMISSIONER PARNES: Thank you.

MS. BOY: The next speaker is Jerry Lee, followed by Bonnie Jacobson, followed by the final speaker, Dennis Mele.

MR. DIGIORGIO: Excellent. Thank you. Welcome.

MR. LEE: Good morning. I'm Jerry Lee of 4311 Crystal Lake Drive in Deerfield Beach. I

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have delivered to two letters that I believe Dawn Teetsel has emailed to every single one of you. Two letters. I have complete descriptions of opposition to every point of this development process. You can turn the tide. Call for a moratorium on the construction that has begun on the driving range portion of this golf course. Put a stop to it. Reclaim the highest and best use of the land, as I described in my letters, is to be a municipal golf course. If the private owners cannot make a profit, then let them sell out just like any other business. Do not change the land use laws because they cannot make a profit.

First of all, our national growth average is 1.8 percent for the past eight years. We cannot accelerate past that even further. You do this by developing this golf course. At the Town Hall meeting with Gary Farmer and Senator Williams, Gary Farmer said that most counties turn down -- have turned down funding from the state to rebuild -- rebuild their septic systems. They've turned down this because they do not want to become the next Broward County. By that, he means that unwanted development has become a predominant factor with clean water and sewer systems.

Other counties in the state do not want to be like Broward County. And this is what's going to happen. Put a stop to it. This is the last green space. Please take a look at my letters. I describe everything in point. Please contact Dawn Teetsel, if you do not have a copy of that. I oppose this. And the people in this past March had an election for District Counsel. Bernie Parness ran on the campaign to save Crystal Lake from development. His campaign was set forth throughout the neighborhood. The people spoke up and voted for Mr. Bernie Parness. How you got onto this board, Richard, I don't know, buddy, but you're going to make sure that this project gets through to the very end, aren't you?

MR. DIGIORGIO: Mr. Lee, focus on -- focus on the agenda item, please.

MR. LEE: Well, the agenda was is that he pushed this item through as the past City Councilman of Deerfield Beach.

MAYOR RYAN: Mr. Chair, I would call for decorum --

MR. DIGIORGIO: Yeah, absolutely.

MAYOR RYAN: -- on behalf of any of the speakers.

MR. DIGIORGIO: Thank you very much.

MR. LEE: Thank you.

MS. BOY: Just as a quick follow up, Mr. Lee's correspondence is included in the backup as Attachment 16. We did receive this correspondence twice, but it was the same correspondence both times, so we put one copy of the letter in. So it is noted in Attachment 16.

MR. DIGIORGIO: Thank you. We -- we've seen that in the backup. Thank you.

MAYOR RYAN: Mr. Chair, I have a question, point of --

MR. DIGIORGIO: Mayor Ryan.

MAYOR RYAN: -- information --

MR. DIGIORGIO: Yes.

MAYOR RYAN: -- to our counsel. We're not empowered to implement any moratoriums or stop any development on a city project, are we?

MR. MAURODIS: You have no jurisdiction to issue a moratorium, no.

MAYOR RYAN: Thank you, sir.

MR. DIGIORGIO: Thank you. Ms. Graham.

MS. GRAHAM: And I have a question of counsel, please. Technically, and I'm not an attorney, but if I was a citizen and I wanted to have something stopped and I lived in Deerfield Beach, would the last resort be filing a lawsuit, or isn't even that a prerogative?

MR. MAURODIS: I would -- I really hesitate to give this response. This is the last response I ever would want to give to a --

UNIDENTIFIED SPEAKER: Yeah.

MR. MAURODIS: -- client asking for my opinion, but I think it's not really appropriate for me to get into advising them as to the legal --

MR. DIGIORGIO: Right. Agreed.

MR. MAURODIS: -- remedies that they might have to stop -- so with all apologies and -- and, really, it's not the -- I don't like giving this response, but I think it's not appropriate for us to start doing that.

MS. GRAHAM: And I want that on the record, and I agree with your answer, and I knew what it would be --

MR. MAURODIS: Okay.

MS. GRAHAM: -- before I even asked the question, but when we --

MR. MAURODIS: Thank you for your understanding.

MS. GRAHAM: -- when we get the property owners that come, literally at the 11th hour,

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either the first hearing or the second hearing before Planning Council, they must not have been aware of what has already transpired at the city level. And I don't think they realize the limitations of Broward Planning Council where a moratorium, just like Mayor Ryan had said, would be enacted.

MR. MAURODIS: You're a recommending body on this. You -- you have final decision only on certifications and trafficways --

MS. GRAHAM: Right.

MR. MAURODIS: -- plans.

MS. GRAHAM: Thank you. And thank you for having that on the record, because that'll be in the minutes.

MR. MAURODIS: Thank you.

MR. DIGIORGIO: Thank you, Ms. Graham. Next speaker.

MS. BOY: The next speaker is for questions only, so she's asked to pass. She represents the city staff. Dennis Mele is the final speaker, representing the applicant.

MR. DIGIORGIO: Mr. Mele.

MR. MELE: Good morning. Dennis Mele, 200 East Broward Boulevard, on behalf of the applicant. I have great respect for Mr. Parness. I have to disagree with a couple of things, but I don't think he said them wrong on purpose. I don't think he knew.

We had a series of meetings with our neighbors around this site, and you may recall that at your first meeting, we had two neighbors appear who both supported the application, and they had attended the meetings with us. Secondly, you may recall that I showed a graphic at the first meeting that showed that we've put water all the way around the edge of the site. We did that for two reasons. We did that to buffer ourself from the neighborhood, and we did it to accommodate drainage.

If you look at your staff report, you will see that we are not in the sea level rise area, and you'll also see that the -- I always get the name of this department wrong because they've changed it so many times, but the acronym is EP and GMD, says that we meet all the drainage requirements. So there is no drainage problem here. There will not be any drainage problem here.

You have two members of your board here today that were on the City Commission at the time this was approved on a 5-0 vote, Mayor Bill Ganz and former Commissioner Richard Rosenzweig. Also keep in mind that the second reading of this item has not yet gone back to the City Commission. That will be later this year.

Mr. Lee did appear at the first City Commission meeting and made many of the same arguments he made today. The City Commission listened. They asked questions, and they voted five-nothing to support this. We've made a lot of changes on our plan. We've had a lot of meetings with the community. We actually had most of our meetings right at the golf course clubhouse, which is right on the property. So it was very convenient for people to attend. And we had good crowds there.

And we made adjustments to the plans. We lowered the density. We put a -- we're -- we're building single family and townhomes, and we put a cap on the number of townhomes so we could maximize the number of single family homes. One of the things we heard strongly throughout the City of Deerfield Beach is it's been a very long time since someone has built new single family homes in the city, and that was something that the city very much desired to see.

So I know that Mr. Parness is here because, obviously, he represents the district, and people have asked him to attend, but I will tell you that I believe the overwhelming number of people in that area are supportive of this. I know a lot of notices went out today. I know a lot of notices went out at your first reading. And, as I said, you had probably five or six people here at the first reading. Two of them spoke. They both expressed support. I think one of the speakers had a series of questions, and your Chair asked, as long as the applicant does the things that you've asked about, will you be supportive, and she said she would.

And we are doing all of those things she asked about. We're making a drainage connection to the north. We -- we've purchased an extra piece of property on Military Trail that you see on your drawing, because the only access to this golf course so far has been on Crystal Lake Drive. And if you look at that aerial that's on your screen, you'll see a little finger sticking out at the lower left-hand side. That's the current access. And we purchased a building which we will demolish, it's a very old building, on Military Trail to give us access out to Military so all the traffic doesn't have to travel on Crystal Lake Drive.

So I want to assure you that we had extensive meetings with the neighbors. We've made adjustments, and that's why we have the broad support we do now. Now, I know that Mr. Lee mentioned that he believes golf is the highest and best use of the property. The National Golf Foundation, which is a non-profit organization that supports the golf industry based in Jupiter, Florida, has done a series of studies that golf courses are closing all over the country because they're not profitable. And municipalities don't usually want to buy them for the reasons that Commissioner Blattner just mentioned, because then the city is just bearing that financial loss each year.

So our job, when we're going to redevelop a golf course, is to make sure that we work very closely with our neighbors to do it the right way. And I've found over time that the best thing we can do is put water between us and our neighbors, because where they have a golf view now, they'll have a water view later. And when you're looking at property values, a water view is even more valuable to the property than a golf view. And that's what we've done here. If you have any questions, I'd be happy to answer them. Thank

you very much.

MR. DIGIORGIO: Thank you, Mr. Mele. Mayor Ryan.

MAYOR RYAN: Mr. Chair, while the -- Mr. Mele's there, to staff, I noticed the Department of Transportation had a number of comments regarding traffic, and there were responses from Planning Council staff. Can you just, in summary, outline whether or not there are concerns that have not been overcome related to ingress/egress, traffic, and any of the surrounding potential impacts to I-95 and otherwise.

MR. DIGIORGIO: Ms. Blake Boy.

MS. BOY: Thank you. In response to that, when Planning Council staff -- and we're following the policies of the plan, we're looking -- we looked at a long range model run for this, the distribution of the trips, and what we found was that there were no links that were significantly or adversely impacted. So that's what our analysis is based on. That's how we do our projection, and that's how we say, okay, you're either meeting this policy or you're -- or you're not.

Consistent with the state's review, they provided several comments of what they believe that the impact or that the model run should have shown. And it's very interesting, because it's actually based on the state-based model that the MPO runs for us. So what you'll see in our comments as a response to how we believe that those different links meet -- continue to meet the level of service lesser than the three percent impact that would cause -- cause that impact or cause us to call attention to that. I believe that it's adequately addressed in the staff's comments.

Further, one of the things that the state asked us to do was to state that we would contact them if there's ever a -- a -- sorry -- an adverse impact, and of course we would. That would be our natural course of action if there's a state impacted system on the -- for the analysis. So I feel confident that we've addressed the comments.

MAYOR RYAN: And to Mr. Mele, I know there was an ingress/egress issue with this property. What steps have been taken to try to address that, the single access and otherwise?

MR. MELE: Well, as I was mentioning earlier, the -- currently, the only ingress and egress to this property is along Crystal Lake Drive, which is a collector street, but it's not as big a street as, say, Military. So we purchased a piece of property on Military -- you can see that on the screen now -- in order to make sure that the bulk of our access will be at Military. So the Military access will be the one for owners and guests, and the one on Crystal Lake Drive will only be for owners, so all the guests will come in off Military.

I should have pointed out earlier, and it's a good chance to do that now that we're showing this, one of the big issues in this area has been the lack of good EMS response times. And the reason for that, this area was unincorporated Broward. It was annexed into the

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City of Deerfield Beach, and, actually, EMS calls are currently answered largely from a station in the City of Pompano Beach, which is very unusual. So we have agreed, in addition to the green space that we're setting aside, that we're also dedicating a site and constructing a building for the city's fire department to provide EMS service right on site. And that was something that was very important as we were talking to neighbors. This is an area that has a large number of senior citizens. It has a large number of calls to 911, and that service needs to be provided. And as I pointed out, we're not just dedicating the land, we're building the building, too.

MAYOR RYAN: Thank you.

MR. DIGIORGIO: Thank you.

MAYOR RYAN: Thank you, Mr. Chair.

MR. DIGIORGIO: You're welcome. Yes, Mr. Blackwelder.

MR. BLACKWELDER: How long ago did the current owner purchase this property?

MR. MELE: I'm not sure. It's been a -- it's been a period of years, but not a -- but not a real long time.

MR. BLACKWELDER: So golf -- golf --

MR. MELE: (Inaudible.)

MR. BLACKWELDER: -- golf wasn't doing good and they bought it anyway.

MR. MELE: That's probably true.

MR. BLACKWELDER: Okay. Maybe this is a question for the staff or attorney, but it's been inferred that we don't have the authority to not approve this particular conversion, by other members of the Council, that we have to have a stated -- or this is the implication that I got, that we have to have a stated reason for our -- if we were to not recommend approval.

MR. MAURODIS: Well, I think what -- the comment that I heard was that in reviewing these applications, you look at the goals, policies, and objectives in your Comprehensive Plan and your Land Use Plan, and you apply them -- with discretion, because this is a -- an area where there's significant discretion. This is a -- at the Broward County level would be considered a legislative, not a quasi-judicial, act. But they're generally reviewed based upon the goals, policies, and objectives that you have in your plan that guide you as to the principles of development that -- that you want to have fidelity to.

MR. BLACKWELDER: Okay.

MR. MAURODIS: So I think that was the reference there.

MR. BLACKWELDER: So we don't -- we don't need to isolate and specify chapter and verse of those plans if we're familiar with those, and that's in our discretion --

MR. MAURODIS: It -- it --

MR. BLACKWELDER: -- to decide.

MR. MAURODIS: -- again, you're a recommending body, so you're going to have more leeway than most, but when it gets to the County, generally there -- there's a desire to point to specific areas as the basis for your denial, although that is a legislative action, and so there is a significant amount of freedom, whereas if it was quasi-judicial, you would have to point that they don't meet this, they don't meet this, they don't meet that, in that section.

That rule did not apply here, so you are correct in that regard. However, a standard procedure in reviewing it is to look at your Comprehensive Plan and see if there is fidelity to the goals and objectives and policies of those plans to guide -- to guide you. But I don't think you're mistaken in saying that that would prohibit a no vote in any way, but it's just a matter of the way these things are reviewed.

MR. BLACKWELDER: Thank you.

MR. DIGIORGIO: Thank you. Mayor Ganz.

MAYOR GANZ: Thank you. Mr. Mele, can you go into the detail about some of the accommodations that were made early on? While you talked about some of the public meetings, and I was the District 4 Commissioner, this is not -- was not my district at the time, but I did attend the meeting, because I knew it was a -- it was a highly contested issue.

So I attended the very first meeting, I believe the second meeting that you had with the public, and others that -- that you've had regarding this item. So if you could go into some detail about that?

MR. MELE: Sure. I asked to put the aerial back up. Thank you. First --

MR. DIGIORGIO: Excuse me. Before you -- could you put the aerial please on our screens?

MS. BOY: Can we put the aerial on the screens for the members? They have to do it in the back.

MAYOR RYAN: As much as we like looking at the back of Mr. Mele --

(Laughter.)

MAYOR RYAN: -- that would be helpful.

UNIDENTIFIED SPEAKER: Thank you.

MS. BOY: They changed?

UNIDENTIFIED SPEAKER: I -- I will tell you, I don't like looking at the --

MS. BOY: (Inaudible.)

UNIDENTIFIED SPEAKER: -- back of Mr. Mele because --

UNIDENTIFIED SPEAKER: Now we can see --

UNIDENTIFIED SPEAKER: Now we get the front of Mr. Mele.

MR. MELE: I have to cover up the spot there.

MR. MAURODIS: I -- I have a haircut for you, then.

MR. MELE: Thanks.

MR. DIGIORGIO: Thank you. Mr. Mele, appreciate it.

MR. MELE: So the reason I -- I asked to put that up is please notice how densely populated the area around this is. And, Ms. Blake Boy, how many feet -- the notices you send out, how far do they go?

MS. BOY: Sure. The courtesy notices, by our rules, go out for the first Planning Council Public Hearing to all residents within the amendment area and within 300 feet. We sent approximately 1,050 notices to residents. And, at the time of the County Commission adoption hearing, we'll send another -- those same notices will go back out.

MR. MELE: So the reason I asked that question is, as I mentioned, when you had the first hearing, you had, I think, five people here, two of whom spoke, and they all expressed support. And over a thousand notices had gone out. So I don't want anyone to think that there's substantial opposition to what we're doing here today.

Now, to answer the Mayor's question, first thing we did when we met with neighbors was talk to them about access. When we heard the concerns about Crystal Lake Drive, we then went and contracted to purchase a piece of property on Military Trail so that we could put our traffic on Military Trail, which is a major roadway in the area.

The second thing we did when we talked to neighbors is they talked about making sure

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that we didn't build too close to them. That's when we pulled everything into the interior and put a boundary all the way around the property of water and buffers. I showed that at the first reading. I think there was a question of the width of that buffer, and I believe we represented that it was an average of about a hundred feet. The reason for the hundred feet is because in order for the water to count as drainage with the South Florida Water Management District, that's how wide it has to be. So even if we wanted to make it less, it wouldn't make any sense, because we want the water to count as drainage for your drainage permitting. So we pulled everything into the interior and did that.

The third thing we did was, listening to the city and the neighbors, is when we heard about the concerns about slow response times for EMS, we volunteered to dedicate a site and build a building for the city to provide that service on site. We lowered our density. We started at a higher number. We had a greater percentage of townhomes and a lower percentage of single family homes. We lowered the total number of units and we shifted more toward single family and less toward townhomes. I know this has no relevance to our land use amendment, but the city even is adopting an architectural theme for the city. They don't want Mediterranean. They want different types of designs. We're doing that as well.

So I think with over a thousand notices going out -- I know that Mr. Lee has concerns, he expressed those concerns at the City Commission. I'm sure he'll do it again at the second reading. But I assure you that what you've seen over the years, golf is not doing well. It's not profitable. It's not the highest and best use. And I know that's not necessarily something that figures into your determination, but this course is going away because people aren't playing.

MAYOR GANZ: But --

MR. DIGIORGIO: Thank you.

MAYOR GANZ: -- to my question, if I may continue, look, I have always been against golf course conversions. I fought against the Deer Creek Country Club, and, ironically, at the time, as a private citizen, my esteemed colleague, Commissioner Parness, was on the opposite side of the fence on that. He actually argued for the development of the Deer Creek Country -- or the Deerfield Beach Country Club at the time. And I fought against that, because, growing up here in south Florida, I grew up across from a golf course, and that was the landscape of my youth. And that's not what south Florida is anymore, and that is changing. And while I've had discussions with a few that have -- that have been against this, they -- they have not just wanted us to purchase the property or stop this. They wanted us to maintain a municipal golf course. As Commissioner Blattner said, that costs a half million dollars in the negative for the -- or that is costing your city a half million dollars. And that's something we cannot take on for the City of Deerfield Beach. No, we did not -- to answer the question that was asked earlier, we did not have the funding as a city to be able to purchase this property. As a matter of fact, what we do have is a dire need for single family homes of a certain level, and the developer on this has worked with us to try to meet those needs, what the city has requested.

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I attended the very first meeting. I've attended many of the public meetings they've had about this, including voting for it on the Commission. And while, yes, there was an election in March, that election in March elected me Mayor. And as mayor of the city, I openly campaigned in support of this project from the very beginning. So there's been -- never been any doubt about that, of the support of the people for this particular project. So I'd like to lay that to rest.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR GANZ: I would also like to say that with this, through this process, we have tried to make sure -- as was stated before, you try to mitigate these situations. When you -- you can't force someone to say this -- you -- you must have golf there, you must maintain golf. If it's a private company and they're telling you that they're losing money and they can't maintain that, you can't force them to maintain golf there.

So we have tried to mitigate this as best we can to give the City of Deerfield Beach the best possible scenario. As you see here today, there is not a huge uproar from the citizens of Crystal Lake and the surrounding area to come out against that. That has been the same with not only this meeting, the first reading that we had here, as well as the City Commission meeting.

So please understand, while I respect and certainly empathize with the people who would prefer it to remain a golf course -- ideally, that would be great, because losing green space in the City of Deerfield Beach, where we're so desperately in need of it, it pains me to see that happen. But I'm also realistic, and -- and I think this -- this project is a good thing for the City of Deerfield Beach. I think they've done the best they can with what I would say is an unfortunate situation. But we've done the best we can with that. And I fully support it.

MR. DIGIORGIO: Thank you. Mr. Grosso.

MR. GROSSO: Thank you. A few questions of staff. What other land uses are allowed under the commercial recreation designation that exists on the parcel today?

MS. BOY: Commercial recreation, the types of uses you would see there, multi-purpose facilities, such as like a Boomers or, in the old days, a go-cart track, those sorts of facilities, jai-alai facilities, horse racing. Pretty intense uses. Water parks. Those were the sorts of uses.

Then any other uses such as a hotel would have to be accessory to -- to that use, or any uses aside from those commercial recreation uses. So any accessory uses would have to be to that principal commercial recreation use. So if this isn't a golf course, and with a commercial recreation land use, I think that you could see much more intense use of the land.

MR. GROSSO: What -- what hard data do we have on the viability of the current golf course right now as it's operating?

MS. BOY: As far as Planning Council staff goes, I don't have hard core data on the viability of the golf course. I mean, that -- that's a-- I would say a market study that would be subject to what the applicant is pursuing as far as the land use, and then also at the city level.

MR. GROSSO: What was the last thing you said? Also at the what?

MS. BOY: Also at the city level.

MR. GROSSO: Okay. Is this an affordable housing project?

MS. BOY: This is not an -- this is not an affordable housing project. The City of Deerfield Beach and the applicant were subject to former Policy 1.07.07, now Policy 2.16.2. I won't be making those references forever, but just to kind of keep everybody in the same understanding what policy we're referencing. Information submitted by the Deerfield Beach -- by Deerfield Beach regarding their policies and what they do to support affordable housing were signed off by County staff regarding whether or not they meet that policy. And it states in your backup, Attachment 7, perhaps, that they meet that policy.

MR. GROSSO: Was a -- was an option of a much lower residential density with much higher rate -- open space ratios on this property considered as an alternative to this?

MS. BOY: A couple things that I would note about the open space commitment that's being made, the four and a half plus or minus acres that are being committed to. One is this application is received through transmittal by the City Commission. So this is how the application was transmitted. In the past, Planning Council staff has made alternative recommendations regarding density if we felt that there is a compatibility issue. That wasn't the case with this. So with the commitment that's being made for open space, the four and a half acres, plus the emergency services site being recognized, Planning Council staff supports the amendment through our facilities and services analysis.

Another thing that I think it's important to note is open space in this area, it's not depicted on the map as far as land use, but you'll see in the uses to the north, the cemetery and the open space site, that was the former Tam O'Shanter Golf Course. That came through as a Broward County Land Use Plan amendment in 2011, and there was 50 acres dedicated to the city on the east side of the site. That open space dedication occurred there. So between these two golf courses, we'll see an open space dedication of nearly 55 acres in this immediate area that would have to go through either a Land Use Plan amendment and the release of the Declaration of Restrictive Covenants.

MR. GROSSO: Thanks. Thanks, Mr. Chair.

MR. DIGIORGIO: Thank you, Mr. Grosso. Mayor Ryan.

MAYOR RYAN: Mr. Mele, and to a point that staff just made, on that aerial to the north, the open space, that in fact is owned by the City of Deerfield Beach?

MR. MELE: Yes.

MAYOR RYAN: And that was donated, as I understand it, to the City of Deerfield Beach for the purposes of, if they wish, to run a golf course.

MR. MELE: I believe the city is going to make it into an active city park. And when we came in with our development, Deerfield Beach, like most cities, has a recreation impact fee land dedication ordinance where the city makes the decision --

MAYOR RYAN: Let me try -- let me restate it. If the city wanted to, if it thought it could use the highest and best use of that land and wanted to put a municipal golf course on there, presumably it could. But the city and all the residents have asked for, as I understand it, a different use, even on that open space on the land they own.

MR. MELE: That's correct.

MAYOR RYAN: Okay. Mayor Ganz, just to that point, that was something that was absolutely considered by the city, and the highest and best use for that open space is an activity area for the residents as a whole as opposed to a golf course that would be substituted for this property?

MAYOR GANZ: Absolutely. While we still will have one remaining golf course in the City of Deerfield Beach, its affordability might be questionable. But I will say that what we are in dire need is ball fields for our children to play on, and that is what this -- that acreage is -- is being planned for on that, not for a municipal golf course. I have asked the gentleman who's opposed to this, many times, to make a case for why a municipal golf course would actually work for us from a financial standpoint, and I've seen nothing come forward that would indicate that it would work in our benefit on that.

To your point also about our ability to afford to buy or develop this current property, as you see, that is open space that's been sitting there since 2011. We do not have the money in our budget right now to even develop the 50 acres that were donated to us in the last golf course conversion that we fought to try to maintain.

MAYOR RYAN: And I'll finish with this comment. The issue of viability of the golf course is not within our purview. It simply isn't. And I'm not sure that -- that even having the discussion is important, other than to emphasize what has been said here over and over.

And we have, in Sunrise, lived with this issue when the Sunrise Country Club was failing. It was the heart of Sunrise historically. It was a beautiful piece of property. But it had significant development rights on it, and as the property began to fail, as the golf course went in disrepair, the inevitability was either it would be abandoned and become a

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complete not only eyesore, but a maintenance nightmare for both the owner and the city. And the issue of development rights became squarely at issue. And residents understood in that area who lived on it, that if the developer was left to follow every bit of the development rights they had on that property, the result would be catastrophic to them, both in terms of capacity and the impact on the infrastructure. For the city to step in and purchase at millions of dollars, like Deerfield Beach, we were not in a position necessarily to do that. More importantly, we were definitely not in a position to alter the development rights and expose the city to litigation and potential lawsuits and, ultimately, tens of millions of dollars.

It is, I think, imperative on the residents, as I have seen, and I know others have seen, as well, to do what has been done here. Not commenting on the actual concessions, but the effort to build as many mitigation points in, whether it's buffers, ingress/egress, traffic, because unless the city wishes to purchase it and either run it or then, all of a sudden, have the millions of dollars of maintenance over a lifetime, that simply is not -- but, most importantly, that's not our mission.

And I appreciate the discussion for the purposes of the record, and I think we've given due consideration to the difficulties and the struggles. And I appreciate everyone coming out for this, but I think the goal at the local level is always going to be to mitigate the impacts as much as possible and make those decisions. Unfortunately, it's not the mission of this body.

MR. DIGIORGIO: Thank you, Mayor Ryan. Mr. Rosenzweig.

MR. ROSENZWEIG: Thank you. Just for the record, the original owner of this golf course found himself unable to operate it and run it, and sold it to a group of 16 or 18 other investors about tens ago, or five years ago. And they found that they could not make a profit with it either, and they sold out to the present developer. And this developer, on taking over this property, has continued to run this golf course currently out of his own pocket at roughly a hundred thousand dollars a month during this process. So that's the cost of maintaining this particular golf course, and he cannot afford to carry that much longer, either.

And so we're hopeful that we can see this go forward in a positive way. This is something that, as you heard in Deerfield Beach from the Mayor and others, I supported this from the get-go because I saw this was going to be a problem. As you know, in Century Village we have the same problem with our golf course, which has been fallow for the past seven or eight years, and it's an issue we're dealing with as well. And it's an open space, and, you know, we're trying to get the best we can for this particular thing, because the golf course is owned privately, and the owner certainly wants to sell his product.

The other issue is that in Crystal Lake, the owner has set aside 4.5 acres for open space within this development, as well as an EMS station. So he's mitigated as much as he can. And, originally, it was to have more housing on it than is there, and he had to cut that back to this level. And he can't go much lower, because it has to be profitable for him, as

well, to develop this and sell that property to be a viable product.

So this is why I supported this from the beginning. I support it now because, unfortunately, I understand some of the residents are upset with it, but, by and large, the vast majority of residents, when I was their Commissioner, and I spoke to several homeowner's associations in there, and none of them were really upset with this going on. And the city has -- as you know, there are two golf courses there, Tam O'Shanter and Crystal Lake. And when these properties were sold, the -- the Crystal Lake area took the acreage that was set aside for -- for the City of Deerfield Beach as a -- as part of the concession open space at that time for only either recreation or like a cemetery or something similar -- similar action.

And so the city decided to take it and develop a park there, which we're still working on. I was hoping it would be in this particular term of office, but so far the money's not there. The city's coming forward, it's getting better, but we still have a ways to go to get our -- our finances where they need to be following the Great Recession. And so this is why this product for this particular golf course is where it is, and, unfortunately, there's not much we can -- that we, the city can do. It's in -- in process now. And I think this is the best use of this particular property. Thank you.

MR. DIGIORGIO: Thank you. Is there further Council discussion? I'll entertain a motion.

MAYOR RYAN: **Motion.**

MAYOR GANZ: Second.

MR. DIGIORGIO: There was a motion made by Mayor Ryan, seconded by Mayor Ganz.

MAYOR GANZ: Chair -- Chair, before -- if I can make one final comment.

MR. DIGIORGIO: You may.

MAYOR GANZ: The City of Deerfield Beach at one time had five golf courses. We had the Deer Creek Country Club, we had the Tam O'Shanter Golf Course, we had Century Village, we had Deer Creek Country Club, and we had Crystal Lake. We currently are down to Deer Creek Country Club and Crystal Lake. Tam O'Shanter sat vacant for many, many years. If that's not an indicator of how golf would succeed in our city, I don't know what is.

MR. DIGIORGIO: Thank you. Further discussion? Nancy, please call the roll. Oh, Mr. --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. DIGIORGIO: -- Commissioner Castillo, did you have a -- okay.

MR. BLACKWELDER: I had a discussion point.

MR. DIGIORGIO: Mr. Blackwelder.

MR. BLACKWELDER: I am moved by all the discussion. It's been vigorous and rigorous and intense, not only what we've seen here, but the public inputs on it for a long time. What sticks with me is this is a recreational use. People move to this area expecting this type of use to be there, and they're moved there by the tens of thousands. And there's a strong need for the -- all the developments that we've been approving and that have come on line and -- over the years to have some things to do in this County. The beaches are closed off by rows of condominiums and private access. We just have a crying need.

There are many times, including the Hollywood golf courses that are dedicated to golf course use that are publicly municipal courses, such as the Orange Brook course that Mr. Blattner referenced, that, by voter referendum, have been protected, that we have dedicated. And they don't lose money. They -- there's creative accounting going on in the city about recreational -- the costs of the golf course recreation.

This is a vigorous and vibrant part of our community. So I just want to say that on the -- on my sense of the recreational purposes and those policies and objectives that we're supposed to look out for, I take the opposite view to a number of the members of the Council, and I'm going to be voting against the recommendation.

MR. DIGIORGIO: Thank you, Mr. Blackwelder. Further discussion?

MR. ROSENZWEIG: If I may.

MR. DIGIORGIO: Mr. Rosenzweig.

MR. ROSENZWEIG: As you know, Mr. Blackwelder, with due deference, the City of Deerfield Beach happens to be the owner of one of the finest beaches in south Florida, probably number one or number two. (Inaudible) Hollywood, but we love our beach. And when it comes to recreation, we host more events on that beach than most cities in -- in south Florida. We have a lot of recreation, lot of activities that go on there. And this is what the residents are using more than anything else in the area. If they wanted golf, they'd be going there instead of to the beaches and to the beach and the other things that we offer.

So, in deference, you know, there's plenty of recreation availability. Our HOAs have recreation on their properties as we have on ours in Century Village. So we're not dire for recreation of that particular of golf. There are many other activities they have, like Bocce and so forth, to activity themselves, so I -- I defer to you, but I want you to understand that, in this particular instance, I don't think that's -- that's an issue we need to -- need to address.

MR. DIGIORGIO: Thank you, Mr. -- Mr. Rosenzweig. Nancy, please call the roll.

THE REPORTER: Mr. Brion Blackwelder.

MR. BLACKWELDER: No.

THE REPORTER: Commissioner Richard Blattner.

COMMISSIONER BLATTNER: Yes.

THE REPORTER: Commissioner Felicia Brunson.

COMMISSIONER BRUNSON: Yes.

THE REPORTER: Commissioner Angelo Castillo.

COMMISSIONER CASTILLO: Yes.

THE REPORTER: Mayor Bill Ganz.

MAYOR GANZ: Yes.

THE REPORTER: Commissioner Michelle J. Gomez. School Board Member Patricia Good.

MS. GOOD: Yes.

THE REPORTER: Ms. Mary D. Graham.

MS. GRAHAM: Yes.

THE REPORTER: Mr. Richard Grosso.

MR. GROSSO: No.

THE REPORTER: Mr. David Rosenof.

MR. ROSENOF: Yes.

THE REPORTER: Mr. Richard Rosenzweig.

MR. ROSENZWEIG: Yes.

THE REPORTER: Mayor Michael J. Ryan.

MAYOR RYAN: Yes.

THE REPORTER: Mayor Jack Seiler.

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MAYOR SEILER: Yes.

THE REPORTER: Commissioner Michael Udine.

COMMISSIONER UDINE: Yes.

THE REPORTER: Commissioner Beverly Williams.

COMMISSIONER WILLIAMS: Yes.

THE REPORTER: Mayor Daniel J. Stermer, Chair. Mr. Thomas H. DiGiorgio, Jr.

MR. DIGIORGIO: Yes. Motion passes. Thank you all for the vigorous discussion.

VOTE PASSES 13 TO 2 WITH BRION BLACKWELDER AND RICHARD GROSSO VOTING NO.

AGENDA ITEM PH-3 - AMENDMENT PC 17-12

MR. DIGIORGIO: PH-3.

MS. BOY: Good morning again. This is the second Public Hearing for small scale amendment in the City of Wilton Manors, approximately 4.9 acres. I mention that because you just had the first Public Hearing at your May meeting. This will be the second Public Hearing, and then it'll move forward to the County Commission for consideration --

MR. DIGIORGIO: Your --
MS. BOY: -- and adoption.

MR. DIGIORGIO: -- your mic -- your mic is doing it again. It's echoing --

MS. BOY: Echo?

MR. DIGIORGIO: -- a bit. Yeah.

MS. BOY: Can you -- can you fix it in the back? Tell me if it's better?

MR. DIGIORGIO: It's better.

MS. BOY: Okay.

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. BOY: Maybe it's me.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER CASTILLO: That is strange.

MS. BOY: Okay. So this is the second Public Hearing. It's a proposed change from the commerce category to the regular 18 residential density, with the addition of no more than 88 dwelling units on the property. Planning Council staff analysis shows sufficient public services and facilities to serve the proposed land use. I think one item to specifically note is that during the environmental review of this proposed land use change, it was determined that the area falls within a Priority Planning Area for sea level rise. That essentially means that in the year 2060, this could experience up to a two-foot level sea rise.

You may recall that the applicant submitted information prior to last month's meeting. Dr. Jurado said that it was sufficient to meet that, and then she also attended last month's meeting to assure you and just give a few notes regarding the impacts and what the applicant had submitted. Planning Council staff continues to recommend approval of the proposal. And I think now we have 14 speakers signed in. If it's okay, I'll start calling the public speakers.

MR. DIGIORGIO: Please do.

MS. BOY: Thank you. The first speaker will be Matthew Dreger, followed by Martin Nixon, followed by Anthony Loegrande.

MR. DIGIORGIO: Thank you. Good morning.

MR. DREGER: Good morning, everybody. I just wanted to say that I think that this project is very good for the City of Wilton Manors. If the current Homestead legislation passes through, our City Commissioners have shared with us already that the Wilton Manors budget will be reduced by several hundreds of thousands of dollars a year, and the taxes brought in by this particular piece of property would certainly be a benefit to our community.

I also feel that some of the arguments about density may be a little disingenuous, based on the fact that there has been zero public outcry over the request to build 122 Section 8 units on a piece of property half this size less than a half a mile away. And so this may be more of a NIMBY situation of not in my back yard. But I would certainly urge this Commission and everyone involved to let this piece of project move forward. It's a benefit to the community, and it will certainly be a benefit to the community in the long-range future. Thank you.

MR. DIGIORGIO: Thank you.

MS. BOY: Martin Nixon, followed by Anthony Loegrande, followed by Gary Hummel. Martin -- oh, sorry. Didn't see you. I'm sorry.

MR. DIGIORGIO: Take your time, Martin. Good morning.

MR. NIXON: Good morning, everybody. Martin Nixon, 2307 Northeast 15th Terrace, Wilton Manors. I'm president of the East Neighborhood Association. Apologies that I wasn't able to attend the first public reading of this amendment, due to my ill health.

So in terms of the amendment, I have to say that the -- the vast majority of the East Neighborhood Association members oppose the amendment in its present form on the grounds that the density of the proposed amendment at 18 units per acre or a total of 88 units for the site is too extreme for that site, as it will result in excessive traffic and noise, and destroy the quality of life of this low housing density residential neighborhood. When this proposal was first read at the Wilton Manors City Commission meeting on the 13th of December of last year, the city staff report noted that the development had a potential compatibility issue with the adjacent parcels, quoting existing future land use densities of five and ten units per acre on the east, south, and west of the property.

There was similar remarks concerning the proposed land use amendment at that December 13th meeting. Mayor Gary Resnick said, and I quote, even at 80 units, the project need to -- needed a smaller overall footprint. The setback on the east side needed to be greater. The project needed to be scaled back on the south end. The mayor will not support the land use amendment on a second reading if the project still showed the same scale. The whole thing needed to be scaled back, end quote.

Commissioner Carson stated at that meeting that the park area shown on the south side of the project needed to be larger and more expansive. Commissioner Newton noted the -- a previous project at 77 units for the site had not been approved by the City Commission. The size of the site has not changed since that previous project proposal was turned down. The five-story development is too -- is too tall and has no precedence in this area of the neighborhood. Existing local buildings, such as Olivewood Condominiums and the Metropolitan (phonetic) buildings are two and three stories.

The East Neighborhood Association does support the statements made by the City Commission in terms of the need for increased site setbacks, larger park area, and reduced overall project footprint, and agrees with the amendment to change from commercial to residential. However, we believe the site density should not exceed that of between ten and 16 units per acre to be compatible with surrounding neighborhoods. That seems to be my time.

MR. DIGIORGIO: It is. Thank you very much.

MR. NIXON: Thank you.

MS. BOY: The -- the next speaker is Anthony Loegrande, followed by Gary Hummel, followed by Ken Keechl.

MR. LOEGRANDE: Good morning, members of the Planning Council.

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MR. DIGIORGIO: Good morning.

MR. LOEGRANDE: My name's Anthony Loegrande, 2626 Northwest 5th Terrace, Wilton Manors. I'm the vice chair of the Wilton Manors Economic Development Task Force, and I'm also a member of the Wilton Drive Improvement District. However, today, I'm speaking as a citizen and resident of Wilton Manors.

I fully support the land use change for this project. I think that the developers have done a great job in terms of their massing on the site. They have mitigated any issues with regards to the adjacencies to some residential buildings.

We have to keep in mind that Northeast 26th Street has a variety of -- of businesses and zoning. We have a -- we have condominiums. We have a lot of commercial space. We have a bowling alley, and we have some care facilities, nursing homes. On -- to the east side of the parcel, there is commercial, multi-family, and then there are a few single family single-story residences. To the west of the site, there's a three-story condominium and a commercial building.

I think that looking at the opportunities to keep it as a commercial land use doesn't make much sense when we have many, many vacant shopping centers within Wilton Manors. And we find a tremendous issue with these vacancies. They create a lack of sense of security, and also they look like they're abandoned. So it is logical to populate it with a condominium. The fact that it's a condominium means that these people are going to be even more stakeholders within the community, as they will be owners within the community.

The density, I think is correct. We are, with this site, about a block or so away from a proposed stop for the Tri-Rail coastal route, if and when that happens, but it's also a block or so away from the tracks, and once you cross over the tracks, you're in a highly pedestrian district. I'm saying this not just as a citizen, but also because I used to live at Wilton Station, which is another condominium, which, by the way, is five stories high, since I lived in Unit 500 in Wilton Station. I don't think that Wilton Station, as an example, which has about 300 units, did any detriment to the local community that it sits next to, which is mostly single family homes. I think, in fact, it offers many -- many people an option. Not everybody at a certain point in age wants to live in a single family home. They like other options in their life, either a townhouse or a one-story -- a -- a single floor apartment.

So I think, for many of the reasons that I've mentioned, the developer has allowed for a public space. It's going to increase the viability for having shops being used within the space. I support this project. Thank you.

MR. DIGIORGIO: Thank you.

MS. BOY: Gary Hummel, followed by Ken Keechl, followed by Dean Trantalis.

MR. HUMMEL: Hi, good morning. It's a pleasure to be here. And thank you, Tony, for inviting me. When I looked at this project, initially, I thought this is an outstanding project. It's a beautiful project. It's not a perfunctory design. A lot of thought and care has gone into design this project. It has a very strong geometry which is very pleasing to look at, and the geometry is complimented by a beautiful exterior, which the architect has related to local plants and trees. One sees an organicism in the structure. So it has beauty. It has utility. It's going to attract an upscale resident that'll add to the tax value to Wilton Manors. It'll add shops and amenities for these residents as well. It'll be a point of destination. And it negotiates the site really well. It rises up the slight hill on a glass pedestal. It kind of camouflages the parking. You don't see the parking of the -- you know, the condominium high rise. And it leaves open space in the -- the middle of the two, the condominiums and the -- the townhouses on the other side. The way it's designed is a sensitive design to the site which is good looking.

So I think it would be a real credit to Wilton Manors to build this project. And I think the density is a good thing for Wilton Manors, because we need to add density in a graceful, acceptable way, which this project does. And I'm a teacher at Broward College. I teach studio and drawing, and I think this would get an A. Thank you.

MR. DIGIORGIO: Thank you. I appreciate you realizing you don't have to use all of the three minutes. Thank you. And one further comment, if it's repetitive and you do support it, or you don't support it and you have comments that have already been made, just say what your position is. Thank you.

MS. BOY: Ken Keechl, followed by Dean Trantalis, followed by Elsie Chan.

MR. KEECH: Thank you. I'll be brief as I can. I know most of you. I used to be the County Commissioner for east Broward. That included Wilton Manors. And I am passionately in favor of this project and this team. It's the only team I've ever agreed to be on. We need this project. The bottom line to this is this piece of property you may not know about is on 26th Street and 15th, and it is a -- two thoroughfares. It's a church that's rundown, and, quite honestly, I go by it every day, and it reminds me of a large parking lot. That's the reason why the Wilton Manors Planning and Zoning voted unanimously in favor of this, without any dissent. And they said, almost to a person, this is the best project they've ever seen for this property. And they understand that something's going to have to be done one day.

I also want to say that in -- during my short career as a politician and my long career as an attorney, I've never seen so much community outreach. Seriously. It start -- expensive community outreach. It started with a series of nine meetings in my office with the developer, with the project --

MR. DIGIORGIO: Please go on. We didn't reset it. Thank you.

MR. KEECHL: That was quick.

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(Laughter.)

MR. KEECHL: That's all right. The project manager and others, we met with community leaders and residents. We followed it up with similar meetings, one on one, with business leaders and homeowners' groups. We followed that up with a weekend on-site presentation, and ambit PR invited literally by mail every single resident in east Wilton Manors to come meet the developer and see the vision. And that's why you have in your package the hundred support letters.

The bottom line to this is P and Z voted unanimously, and the comments that you heard earlier about the -- the Commissioners, they all voted yes, you know. The comments are site plan issues, which we will be dealing with. But those Commissioners thought this was the right thing. I think it's the right thing. I appreciate your service, and I appreciate your vote. Thank you.

MR. DIGIORGIO: Thank you, Mr. Keechl.

MS. BOY: Dean Trantalis, followed by Elsie Chan, followed by Randy Comer.

COMMISSIONER TRANTALIS: Good morning, ladies and gentlemen. My name is Dean Trantalis, and while I don't live in the City of Wilton Manors, my law practice is in Wilton Manors. In fact, I've been there almost 18 years, and I am invested in that community, and have it seen it grow rather nicely over the years. And I'm here to talk about -- I'm here to talk about growth.

Now, I, too, have sat on this Council before, and so I appreciate -- I understand the seriousness of your role and the matters that come before it, and how important it is that we all get it right and see that each community is able to reach its potential as each community comes before you seeking change. So what is change about? Change is about growth. Let's -- let's face it, Florida will continue to grow. And let's make sure that, as public servants, we all understand that the measure of growth is important to the quality of life that each of us seek to share and to -- and to allow others to share.

So when I was asked to review this project, I looked at it in terms of how it fit into the overall context in which it's located. Yes, there are a number of single family homes around it, as well as commercial property. And this property has remained vacant for quite a while. The church moved out about a year or so ago. And so we all thought, well, what is the best use of this property.

The problem with Wilton Manors today -- it's a small community, as many of you know. It's just under 12,000 people that live there. But it's a point of destination for quite a bit of people coming from all over. It's an entertainment zone. It seems to be dominated by bars and restaurants. And I just don't think -- honestly, I don't feel that a community can sustain itself for very long based simply on a -- on a commercial context that's based simply on bars and restaurants. And while there are other ancillary uses, like my law

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office, and -- but those are few and far between.

If the city is ever going to diversify and maintain some sort of -- of future for itself, I think the only way it's going to do that is to increase the amount of housing that -- that exists within the -- the city's boundaries. Unless we add additional housing to reach that -- that -- what we call that critical mass, we'll never be able to sustain the level of commercial activity and the amenities that many people seek within their own community in order to establish a vibrant urban center.

Now, a lot of people don't want change because they like things the way they are. And we can all appreciate that. I was listening to the previous measure, how important it is that people like open space. We're not here really to discuss the site plan, but I do know that just looking at the site plan and looking at where this project is going, that there's -- there's been serious attention being made to try to and keep the quality of life within the community in check, and to make it -- make everyone share the importance of what it means to grow and grow in the right way. So I thank you very much for listening to me, and I -- I support the measure.

MR. DIGIORGIO: Thank you.

COMMISSIONER TRANTALIS: Thank you.

MS. BOY: Elsie Chan, followed by Randy Comer, followed by John Fiore.

MS. CHAN: Before you start the stop clock please, I'd like to apologize for speaking very, very quickly, because I have a lot to say. And so my Brooklyn accent and my fast voice, here I go. Thank you.

Good morning. My name is Elsie Chan, and I live at 1524 Northeast 24th Street. Although I am a New York City resident now, my parents, as some of you may remember, owned a Chinese restaurant, Moy Lee's, on Federal Highway. In fact, my parents were presented with the ceremonial key to the City of Fort Lauderdale for their contributions to the community. In addition to homes in Miami, my mother bought five houses, investing in Wilton Manors before the current boom. I inherited her house, which is directly across the street from the proposed Hammock.

Over these last years, you've heard much about the pros and cons of construction. I need not underscore safety concerns, traffic patterns, parking, and the negative impact of hundreds of tenants moving in, especially if they are not sold, so it's a turnover of tenants. In light of today's vote, I would like to read to you the vision of Wilton Manors.

The City of Wilton Manors' government strives to take effective actions to ensure quality services while sustaining a diverse culture and small-town charm. Small town charm. I live in New York. And how is that vision in coherence with the overarching goals of the City Council? I read then from your website, the Urban Design and Planning Division's goals focus on enhancing the quality of life, improving livability for the City of Fort Lauderdale by encouraging, directing orderly growth -- orderly growth -- and promoting

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well-designed development and redevelopment through sound planning principles.

As city planners, you have an awesome task. I remember those days when college kids were going to the beaches and there were no high rises on Federal Highway. William Manors -- Wilton Manors is not the last of developing cities. It's going to have an impact as Baby Boomers begin to move into Florida. What is the density ratio of ten per acre in small communities of one family homes? Is there a need for projects of this density? Is it sustainable or will it suffer the glut of all of those you witnessed in Miami and the high crime rate.

Friends of mine are leaving. I'm leaving New York now, and is it not disingenuous of the builders who started -- who are giving us a higher number, which was rejected earlier? As you vote today in your conscience, what is your responsibility and obligation to us? Would you believe my mother's house now, which was \$3700 (inaudible) is now \$20,000. We are willing to do this, but what about your obligation and responsibility to us?

I was a superintendent, high school principal in New York City. I knew how many classes, teachers, budget, et cetera, et cetera. I look to you now to look at the density and where the city is going to go. So I ask -- I thank all of you who voted no, and I thank you for those who will vote no until this density issue is resolved, not only for Wilton Manors --

MR. DIGIORGIO: Thank you very much.

MS. CHAN: -- but the entire city. Thank you very much.

MR. DIGIORGIO: Appreciate it.

MS. BOY: Randy Comer, followed by John Fiore, followed by Karl Lentzer.

MR. COMER: Thank you for letting me follow her. Wow.

(Laughter.)

MR. COMER: She did -- she did say it all. As she --

MR. DIGIORGIO: (Inaudible.)

MR. COMER: -- pretty much reiterated what I think all of us are going to say is we really don't have any problems with them developing the property. The density is just way too much.

We said from the beginning we'd like to see only 40 units on this property. It's just a matter of how much money -- I mean, instead of making a hundred million dollars, do you have to make 50,000,000, whatever. But I'm speaking for the people, my neighbors, that actually live in that area. I mean, there's one other person I recognize back here that actually lives somewhat in the neighborhood, but not really.

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A lot of these people, I mean, I've heard them speak at Commission meetings, and they -- by the way, my address is 2318 Northeast 15th Terrace, and that's Wilton Manors. It's not Hollywood. It's -- I mean, I'm speaking as a resident who's directly affected by this. And I'd really appreciate you considering turning down the 88 units as proposed. Let's just leave it at 40, and we'll be happy with that.

I'm sure they will do a very nice job. They've come up with some great ideas with this one. But we just want something that kind of blends in with our neighborhood. I mean, we're directly across the street. I mean, you're talking medium high density right across the street from low density, five units per acre housing. So, I mean, they can talk about the commercial that's on the -- one side of it, a condominium that has more units than this that went through back before they had any kind of restrictions. I just -- please consider what we want. The (inaudible) four units per acre. Thank you.

MR. DIGIORGIO: Thank you, sir.

MS. BOY: John Fiore, followed by Karl Lentzer, followed by Larry O'Brien.

MR. FIORE: Good morning. John Fiore, 2450 Northeast 15th Avenue. As I said last time, I've been an urban planner in Broward County for the past 40 years, and one of the things I learned is urban planning is the transitional concept of planning. You don't put medium high density next to single family homes. Even in Pembroke Pines, the same developer is developing townhouses sounded by commercial and -- and single family homes at seven units an acre.

Now, there were some comments that, you know, why no one's complaining about the Section 8 housing. Well, that's not in our neighborhood. That's in the central neighborhood section. When that comes up, I'm sure we will be complaining about it, or it's just a bad thing even for the central neighborhood. We are not discussing the design. We're just discussing the density. We feel that this density is too high for the neighborhood.

You've got -- there was a comment made last time that, you know, we -- we need to get used to it and get over it, that developers are going to be buying up everything in the -- all the single family homes in the neighborhoods and turning them into condos. I don't see developers coming in and buying homes that are valued between \$750,000 and a million and a half dollar waterfront homes to -- putting in condos. The -- you know, one of the things we were saying, the need for this, actually, the city's economic plan, which the city paid a lot of money to have done recently, said that there is an extreme shortage for Class A commercial facilities in the City of Wilton Manors. And, quite honestly, this is not a bad location for a Class A commercial office building, which would still leave a lot less coverage on the ground than what would be proposed by this development.

Now, the developer saying that all these hundred letters of support, if you look at them, most don't live in the neighborhood, which is east of the tracks. There's quite a few number that don't live in the city. Some of them are even dead. So, I mean, we're

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concerned with what effects our neighborhood in the east side of the city, the eastern one-third, and we would hope that the -- that you would consider lowering the density that's being submitted down to low medium. And I appreciate the time and -- and your service. Thank you.

MR. DIGIORGIO: Thank you for being here.

MS. BOY: Karl Lentzer, followed by Larry O'Brien, followed by Matt Gill. And then the final speaker, Dennis Mele.

MR. DIGIORGIO: Thank you.

MR. LENTZER: Hi. I'm Karl Lentzer, and I am part of the East Neighborhood Association, and I am one that supports development. We all know that this is going to be a landmark condominium. We've all seen the drawings. It's looks nice and it's great for the neighborhood. I'm also here to support the members of the ENA that are not here, because not all members of the ENA are against it. So there's several people of the ENA, and even residents of the neighborhood, that are for this, but are not with the neighborhood association.

The neighborhood association, if you can look at the website, Wilton Manors ENA, it has John Fiore next in as the president, and it was founded back in 2002.

I joined in about 2010 was the first meeting that I ever went to, and that was the meeting where I thought something was a little weird was going on, and that's when the church site and developers, one developer, first came on board.

Since then, I started a website and just let the public know what the facts were, because I didn't believe that ENA were providing the correct facts. In response to my page, the ENA opened up another page calling Save East Wilton Manors, which, of course, is incorporated, as well, and that can be looked under Save East Wilton Manors dot com, and it is incorporated. So he's in fact running an ENA and Save E -- ENA out of the same neighborhood association.

He did run a campaign against that first development that was on there without the approval of the ENA board. That's something that he went out and did himself without board approval. And, consequently, he was removed as president from the ENA. And this goes back quite a ways. It goes back to about 2011. The board voted him off, and basically --

MR. DIGIORGIO: Sir, if we can, just stick right to this agenda item.

MR. LENTZER: Absolutely. I'm trying to, yes. I just wanted to make the point that they're going to go through anything they possibly can to get this changed. John Fiore --

MR. DIGIORGIO: Right on the agenda item.

MR. LENTZER: -- yes. Oh, yes, absolutely. Let's skip to page -- on your agenda, page

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166. There's a letter of support from one gentleman, third paragraph does describe that the East Neighborhood Association is demand -- demanding the earlier proposal from a few of us was caused to fail. The ENA now requires and wants less density. I'm sorry, I've lost my spot.

The -- the views of that are not the (inaudible) of the 35 residents that live in the east side of Wilton Manors. There's a couple comments on the Facebook page, but I'm going to leave that alone. Basically, I support the project as is.

MR. DIGIORGIO: Thank you for being here, sir. Appreciate it.

MS. BOY: Larry O'Brien, followed by Matt Gill, followed by Dennis Mele.

MR. DIGIORGIO: Good morning.

MR. O'BRIEN: Good morning. Yeah, I am one of the neighbors in -- right north of the project, and like we live one block north on 1620 Northeast 27th Drive. And I think it's a great -- this would be a great addition to the neighborhood. And I think the current building is an eyesore. And I think this property needs to be put on the tax roll. And I -- I think it's -- we met the architect and the designer at the (inaudible) when they had the open house, and I think it's a fantastic property. Thank you.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MS. BOY: Matt -- Matt Gill, followed by Dennis Mele. And just I want to let the members know, right now we have ten members still present. We have to have nine members physically present for a quorum.

MR. DIGIORGIO: Yes.

MS. BOY: Commissioner Brunson just left. She's going to phone in also. So at that point, we'll have Commissioner Brunson, Mayor Seiler, and Commissioner Udine on the phone, but we need to maintain a physical quorum for the meeting to happen.

COMMISSIONER CASTILLO: I have until noon.

MR. DIGIORGIO: So we have several members that have to leave at noon, so I'm going to ask the folks that are speaking to wrap it up succinctly. Thank you.

MS. BOY: Matt Gill and Dennis Mele.

MR. GILL: Matt Gill waives.

MR. DIGIORGIO: Thank you. Dennis.

MR. MELE: I'll make it very quick. Dennis Mele. I just want to talk about what we did

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once we met with the neighbors. We limited the access to the locations I showed you last time, and we made them directional access. Some of them only ingress, some of them only egress. We lowered the density. At the City Commission meeting, they specifically approved 88 units. We had a higher number when we came in. The comments that you heard earlier were site planning comments. We scaled back the building to add public space around the south and along 26th. We put all the parking enclosed in a garage so it's not visible from the street. We made this a green building. It will be certified. We have a green roof on the recreation deck and on the top of the building. So that's all I have. If you have any questions, I'll be happy to answer them. Thank you.

MR. DIGIORGIO: Thank you, Mr. Mele. School Board Member Good.

MS. GOOD: For Mr. Mele.

MR. DIGIORGIO: Mr. Mele.

MR. MELE: Yes.

MS. GOOD: Just real quick, on the -- or staff, whichever. On the issue of the density that's being proposed, I know that's -- that's an issue of discussion, is there similar density within Wilton Manors now currently that you know of?

MR. MELE: Yes.

MS. BOY: Yes, there's -- on the -- sorry -- on the Land Use Plan --

MS. GOOD: You both sound so similar.

MS. BOY: -- where you see right across the street, that blue area, that's transit -- was transit oriented corridor, not -- now transitioned to activity center with the adoption of Broward Next. And also across the street there is Wilton Station development. That was amended in 2003 to a density of medium high 25 units per acre, but now taken up by the activity center.

MS. GOOD: That area again? Tell me again, because I was (inaudible).

MS. BOY: It's 26 and -- and Dixie --

MS. GOOD: Okay.

MS. BOY: -- the crossroads. It's kind of diagonal from this. It's not -- you can't really see it on the aerial, but it's just -- it's west on the street --

MS. GOOD: Okay.

MS. BOY: -- west and just north on the other side of the street. But, yes, there are other

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densities equal or higher to this within the City of Wilton Manors.

MR. MELE: And just to add a couple, the Olivewood Condominium right next to us is 28 units an acre. Barbara already mentioned Wilton Station.

MS. GOOD: The area to the -- I'm sorry, say it again?

MR. MELE: Just immediately west of us.

MS. GOOD: West, right.

MR. MELE: And then the Metropolitan is 25 and a half units an acre.

MR. DIGIORGIO: Thank you.

MS. GOOD: And just real quick, then. And that area to the west, I know at the last meeting there was an issue of, you know, what was on the books as far as what's allowed versus what's there; correct?

MS. BOY: Right. Well, the designation, when the 1977 and 1989 plans were adopted and then ultimately readopted as part of Broward Next -- sorry -- low medium ten, but it's actually -- was developed prior to the adoption of any --

MS. GOOD: Right.

MS. BOY: -- any Land Use Plan.

MS. GOOD: So the area to the west is -- tell me again the number of units per acre?

MS. BOY: Twenty-eight units per acre.

MS. GOOD: Okay.

MS. BOY: So that's where it says multi-family residential on --

MS. GOOD: Got it.

MS. BOY: -- top of the white roof.

MS. GOOD: And the applicant is asking for?

MS. BOY: For 18 units per acre, for a maximum 88 units.

MS. GOOD: Okay. Just very quick, Mr. Chair, you know, I had listened very intently the last time, listened to the speakers. The issue of density was a concern for me. So I -- I just wanted to understand more how the area to the west (time chimes) -- oh, I guess my

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time's up.

(Laughter.)

MS. GOOD: There -- the issue was for me density. The area to the west obviously is, you know, built to a higher density, more so than what is permitted by the map. And that was a concern to me, and I didn't quite understand how that happened, and I know staff attempted to try to address that concern. And then the other issue is, you know, the -- is there a lack of -- and maybe I'll ask Mr. Mele. Wilton Manors has become, you know, a very dynamic community, very, very popular. Is there -- or is there a lack of residential development within the city that you -- you think, in your opinion?

MR. MELE: Well, the demand for residential is very significant in Wilton Manors. You see that just by how quickly properties sell and how the prices are.

MS. GOOD: And the pricing, correct?

MR. MELE: Yes. And so -- and our market studies show this is a submarket that is very unique and very desirable. We get people here that live here. We also have people here who buy homes that are second homes that maybe live in a larger city up north. So it's a -- very much in need of new residential development.

MS. GOOD: Thank you, sir, for clarifying. Thank you, Mr. Chair.

MR. DIGIORGIO: Thank you. Ms. Graham.

MS. GRAHAM: Thank you, Chair DiGiorgio. Just a couple items real quick, because I wanted to ask questions as each speaker came up, and we had to hold them until the end. And so to Mr. Nixon's first comments -- he was one of the first speakers that came down -- he enumerated various items with the site plan that he felt needed to be incorporated and revised. In reality, that's the job of your City Commission and Mayor to put, I guess, restraints on site plan as it's presented and work it back. I'm glad you put it on the record in the minutes. All the items were valid, I agree. But that's not under our purview to be able to do that.

Secondly, to Ms. Chan, I agree with a lot of her comments as well. I know in other major cities in Palm Beach County that had high end homes, even in gated communities around water where high rise apartment buildings have been built -- I'm thinking of one in particular in Boca Raton on Federal Highway, where it is a tall structure and it overlooks multimillion dollar homes and a gated community east of Federal and south of -- I guess it's Royal Palm. So -- and it's a brand new rental property. So I understand what you're saying. The points are all valid. It's just not something that we have the authority to change.

A couple other things that came from last month's meeting when this was on the item -- was on the agenda. I didn't bring it up because I -- just it's a supposition on my part, but even if the architect agreed to reduce the number of units in the building, I felt that he

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wanted a taller building for that site. I don't think he would lop off a floor or two, even if they cut it in half, because from looking at the drawings that Mr. Mele had presented, the sketches -- and, again, I'm an architect. I -- I can't understand completely what he's doing, but that was the impression I got. They wanted something tall. They wanted something somewhat iconic on that corner, because everyone sits at that red light, they'd be looking at the building while it's getting built and then once it's available to -- to buy.

The other problem that I think is the biggest leverage for anyone that's opposing this development now, even if it's not in the sea level rise area, which I think is a fallacy, I mean, to make these little zones across the County. It's as though this is going to be attributable to sea level rise. The whole site is attributable to sea level rise, but it's really not sea level. It's just our elevated groundwater tables that we are going to have across the entire County.

I mean, it's there now. It only took what happened a couple of weeks ago with all of the rainfalls and we had communities further out west that had huge area -- acres of pervious areas where water could -- impervious areas where water could not percolate, and there was nowhere for the water to go. Water's going to find its own level once it gets underground. I harp on that at every meeting, every agenda item that comes before us. So unless that's something that can be used as leverage to change the site plan -- I know he's got a French drain system under the item site from what had been proposed -- there's going to be water problems, you know.

But I can't -- I'm not going to change my vote on -- on these technical items because, as much as I'm putting them on the record, I want them in the minutes, I voted to approve it the last time because he isn't asking for anything more than what's allowed to be developed there now, which is the 88 units. But I strongly recommend that anyone coming before the City Commission of Wilton Manors make the points, get it valid on the record so that at least they can alter the site plan and get these items they want. Thank you.

MR. DIGIORGIO: Thank you, Ms. Graham. Further Commission discussion?

COMMISSIONER CASTILLO: **Move** the item.

MAYOR RYAN: Move the item.

MR. DIGIORGIO: We have a motion from Mr. Castillo. Is that a second from -- Commissioner Castillo made the motion. Mayor Ryan seconded. Is there any further discussion? Hearing none, Nancy, please call the roll.

THE REPORTER: Mr. Brion Blackwelder.

MR. BLACKWELDER: No.

THE REPORTER: Commissioner Richard Blattner. Commissioner Felicia Brunson. Commissioner Angelo Castillo.

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COMMISSIONER BRUNSON: Yes.

MR. DIGIORGIO: Excuse me --

COMMISSIONER CASTILLO: Yes.

MR. DIGIORGIO: -- that was a -- that was a yes vote?

MS. BOY: Did I hear Commissioner Brunson (inaudible)?

COMMISSIONER BRUNSON: Yes, that was me.

UNIDENTIFIED SPEAKER: Yes. She voted yes.

UNIDENTIFIED SPEAKER: That's okay.

MR. DIGIORGIO: Thank you.

MS. BOY: Thank you, Commissioner Brunson.

THE REPORTER: Commissioner Angelo Castillo.

COMMISSIONER CASTILLO: Yes.

THE REPORTER: Mayor Bill Ganz.

MAYOR GANZ: Yes. Commissioner Michelle J. Gomez. School Board Member Patricia Good.

MS. GOOD: Yes.

THE REPORTER: Ms. Mary D. Graham.

MS. GRAHAM: Yes.

THE REPORTER: Mr. Richard Grosso.

MR. GROSSO: No.

THE REPORTER: Mr. David Rosenof.

MR. ROSENOF: Yes.

THE REPORTER: Mr. Richard Rosenzweig.

MR. ROSENZWEIG: Yes.

THE REPORTER: Mayor Michael J. Ryan.

MAYOR RYAN: Yes.

THE REPORTER: Mayor Jack Seiler.

MAYOR SEILER: No.

THE REPORTER: Commissioner Michael Udine. Commissioner Michael Udine.
Commissioner Beverly Williams.

COMMISSIONER WILLIAMS: Yes.

THE REPORTER: Mayor Daniel -- Daniel J. Stermer, Chair. Mr. Thomas H. DiGiorgio,
Jr.

MR. DIGIORGIO: Yes. Motion --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. DIGIORGIO: Ms. Good voted yes. Motion passes. Thank you all very much.
Appreciate everyone coming out for the spirited discussion today. Thank you. Good luck
to you all.

**VOTE PASSES 10 TO 3 WITH BRION BLACKWELDER, RICHARD GROSSO, AND
MAYOR JACK SEILER VOTING NO.**

REGULAR AGENDA

AGENDA ITEM R-2 - COUNSEL'S REPORT

MR. DIGIORGIO: And we're back to Item --

MS. BOY: We're back to the Regular Agenda.

MR. DIGIORGIO: -- we're back to Regular Agenda. Counsel's Report.

MS. BOY: Counsel's Report.

MR. MAURODIS: Okay. And I will attempt to be --

MAYOR RYAN: Mr. Chair -- Mr. Chair, if you could just ask everyone to keep it down on
the way out, just so we can continue with business here.

MR. DIGIORGIO: Thank you, Mayor Ryan.

MR. MAURODIS: Given the time, I'll attempt to be brief. Just there was a lot of sound and fury during the legislative -- the legislative session with regard to local bills. Fortunately (inaudible) --

MR. DIGIORGIO: Guys, please take the conversation out in the hall. Thank you.

MR. MAURODIS: -- I think fortunately, a number of bills did not pass, but a couple of them did that -- and I'll briefly note them. A Growth Management Act passed with regard to charter schools that will limit the ability of local governments to require rezoning or special exceptions for repurposed buildings where a charter school is going into an existing facility. So it's a long, long bill, but it relates to government authority --

MAYOR RYAN: Mr. Chair, if I may interrupt. That was snuck in to an education bill, and it is a huge impact, and many of them referred to it as the Sunrise Exception, because we fought against a charter school locating in an area it should not locate, putting children and families at risk, and we defeated it. We won in trial court, and they dismissed their appeal. And this was their way to get around the ability of our Commissions to be able to regulate health, safety, and welfare for our residents. Thank you for raising that. I'd like you to, if you can, to extract that and provide that to each of the members of the Planning Council so they're familiar with it, at some point, at a later date.

MR. DIGIORGIO: Thank you, Mayor Ryan.

MR. MAURODIS: I will do that. Because, yes, we have been monitoring it, but it appeared very late. It appeared, and it was actually broader. It was even to prohibit any special exceptions, and it was cut back to just refer to existing buildings. But, yes, that -- that did come in late.

Transportation, there -- the act related to small telecommunication facilities in the rights of way was passed. And that preempts a whole area of municipal regulations of their own rights of way. It opposes what's called the shot clock, where if you don't approve it, you're out of luck. So every municipality is going to have to be on their toes on it. It certainly opens up areas for regulation, but it is strictly limited. So, in essence, the state has taken a significant amount of control of the cities' own rights of way away from -- away from them.

Another area where some sovereignty was lost is a bill dealing with construction related matters. All of a sudden, we found that municipalities and counties are prohibited from regulating gas signs, gas price signs, pretty much taking away all authority of municipalities to regulate those type of signs, interestingly placed within that bill.

The medical marijuana bill was passed. It is long. It creates a number of provisions that I was interested to note. It prohibits smoking marijuana, but it appears to allow for vaping and other types of things.

(Laughter.)

MS. GOOD: And in schools.

MR. MAURODIS: Yeah.

UNIDENTIFIED SPEAKER: Are you serious?

MR. MAURODIS: The specialties have to be 500 feet away from schools. If people realize how close 500 feet is from the school --

MS. GOOD: Uh-huh.

MR. MAURODIS: -- it's not a -- it's not very effective. But one of the more significant aspects of this, and this -- there's a lot to talk about on it, but is that municipalities are permitted to -- we're given -- we're given a choice, two polar opposites. If you're a government -- counties and municipalities can prohibit marijuana dispensaries within their boundaries. But if you choose to -- if you wish to take a course of action, we should allow them in and regulate them, where they are, how they operate, you're not allowed to do that, because if you allow one, then you have to allow as many as they want in under the same conditions as you would a CVS pharmacy or a Walgreen's. So you cannot treat them any different than -- so basically, they kind of didn't give you a heck of a lot of choice.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MS. GOOD: All or nothing.

MR. MAURODIS: Yeah, all or nothing.

UNIDENTIFIED SPEAKER: On the street corner.

MR. MAURODIS: And --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. MAURODIS: -- and that's --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. MAURODIS: -- unfortunate, but that -- that's the way that worked out. Quickly, the County -- County Commissioners passed an amendment to our Ethics Code, the County Ethics Code, which has a tangential effect on you, not a very significant one. Because you're the final decision makers in a couple of matters such as trafficways amendments and recertifications, it does affect you, but what it does is affects lobbyists.

The lobbyists -- anyone who lobbies you on one of those two items where you're the final decision maker, must -- must fill out a -- a lobbyist log. It's their responsibility.

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I've spoken to the County Attorney's Office with that regard. You are not going to have to fill out anything. You may wish to remind them of that fact, but the good lobbyists will know that. No one's going to have to remind someone like Dennis or anyone to fill out the log. He does that as a matter of course. But that's a very small change. But the responsibility is not on the decision maker. It is on the lobbyist. They will -- they will pay any penalty on that. So I just wanted you to be aware of that.

The more substantive matters, I was asked to do an overview of the Bert Harris Act for you, Property Protections Right Act, and I am going to try to do so. And -- and I know --

MAYOR RYAN: Mr. Chair, if I -- if I could, I know there were many members interested in that. Would this be something that we could move to a different meeting?

MR. DIGIORGIO: I believe -- I believe it's a good idea. We're not going to be meeting in July. We won't meet again until August. But I think it's appropriate to have more of the full -- the full Council here, so thank you.

MR. MAURODIS: That's fine. I'd prefer not to have to, you know, at a breakneck pace, rush through it.

MAYOR RYAN: To the extent there are any materials in advance, perhaps that could be circulated, but, otherwise, I think it'd be better to have everybody here.

MR. DIGIORGIO: I think it's a great suggestion.

MR. MAURODIS: And what I was going to do was, as a matter of just -- because up to this point, I was just going to really kind of present it orally as opposed to just for --

MAYOR RYAN: No problem.

MR. DIGIORGIO: I think that's appropriate. I think that's appropriate to present it orally, and we will do it in August.

MR. MAURODIS: And, clearly, then after that I would invite private discussions, as need be, you know, because I'm just going to do an overview.

MR. DIGIORGIO: Mr. Grosso.

MR. GROSSO: As the -- as the member who generated that discussion, I'm -- I support moving the discussion to -- from now until August. I do think it's important it's important to have a meaningful, substantive discussion --

MR. DIGIORGIO: Good.

MR. GROSSO: -- and I -- I'm okay with just an oral presentation of Andy's analysis. But

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I do think that it has a lot of implications for the paradigm through which we see proposed amendments, so let's hold it off, but let's give it some ample time in August.

MR. DIGIORGIO: And I think that's right, because we're going to lose even more -- we're going to lose a quorum here in ten minutes, so I think it's appropriate. Thank you, Mr. Grosso.

MR. MAURODIS: Okay.

MR. DIGIORGIO: Okay.

MR. MAURODIS: Thank you.

MR. DIGIORGIO: Thank you, Counsel.

OTHER BUSINESS:

MR. DIGIORGIO: Is there any further discussion on any items, any other business we need to cover today? (Inaudible) --

MAYOR RYAN: Mr. Chair, if we have a moment, I just want to thank you for your efforts here today. You did a fantastic job running the meeting. Well done. Thank you.

MR. DIGIORGIO: Thank you, Mayor. Thank you, Mayor. Thank you all.

MS. GOOD: How about me being the timer?

MR. DIGIORGIO: The timer, I thought, did a fantastic job.

(Laughter.)

MR. GROSSO: Well, there was a little hiccough, but --

MAYOR RYAN: All I would note is that the timer went beyond her time when it went off.

(Laughter.)

MR. DIGIORGIO: Excellent. So the last item of business today, like I said, there will be no July meeting. Everybody enjoy your summer. We'll see you all August 24th. This meeting is adjourned. Thank you.

(The meeting concluded at 11:45 a.m.)