

## MINUTES

### BROWARD COUNTY PLANNING COUNCIL

October 22, 2015

**MEMBERS** Anne Castro, Chair  
**PRESENT:** Commissioner Michael S. Long, Vice Chair  
Mayor Daniel J. Stermer, Secretary  
Commissioner Angelo Castillo  
Neal R. de Jesus  
Thomas H. DiGiorgio, Jr.  
Michael Friedel  
Commissioner Bill Ganz  
Commissioner Michelle J. Gomez  
School Board Member Patricia Good  
Mary D. Graham  
Richard Grosso  
Vice Mayor Martin D. Kiar  
Vice Mayor Rita Mack  
Commissioner Shari L. McCartney  
Robert McColgan  
Bernard Parness  
Mayor Michael J. Ryan

**MEMBERS** Commissioner Richard Blattner  
**ABSENT:**

**ALSO** Barbara Blake Boy, Executive Director  
**PRESENT:** Andy Maurodis, Legal Counsel  
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, October 22, 2015.

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

**CALL TO ORDER:**

Chair Anne Castro called the meeting to order.

CHAIR CASTRO: The final -- excuse me -- calling the Broward County Planning Council regular meeting and Public Hearing for October 22nd to order.

**PLEDGE OF ALLEGIANCE:**

CHAIR CASTRO: Please, if everybody would stand for the Pledge of Allegiance.

**(THE PLEDGE OF ALLEGIANCE WAS LED BY ANNE CASTRO.)**

CHAIR CASTRO: Thank you.

**ROLL CALL:**

CHAIR CASTRO: We have Nancy here doing the minutes. If you could call the roll, please.

THE REPORTER: Yes, ma'am. Commissioner Richard Blattner. Commissioner Angelo Castillo.

COMMISSIONER CASTILLO: Here.

THE REPORTER: Mr. Neal de Jesus.

MR. DE JESUS: Here.

THE REPORTER: Mr. Thomas DiGiorgio.

MR. DIGIORGIO: Here.

THE REPORTER: Mr. Michael Friedel.

MR. FRIEDEL: Here.

THE REPORTER: Commissioner Bill Ganz.

COMMISSIONER GANZ: Here.

THE REPORTER: Commissioner Michelle J. Gomez.

COMMISSIONER GOMEZ: Here.

THE REPORTER: School Board Member Patricia Good. Ms. Mary D. Graham. Mr. Richard Grosso. Vice Mayor Martin Kiar.

VICE MAYOR KIAR: Here.

THE REPORTER: Commissioner Michael Long.

COMMISSIONER LONG: Here.

THE REPORTER: Vice Mayor Rita Mack.

VICE MAYOR MACK: Here.

THE REPORTER: Commissioner Shari L. McCartney.

COMMISSIONER MCCARTNEY: Here.

THE REPORTER: Mr. Robert McColgan.

MR. MCCOLGAN: Here.

THE REPORTER: Mr. Bernard Parness.

MR. PARNES: Here.

THE REPORTER: Mayor Michael J. Ryan.

MAYOR RYAN: Present.

THE REPORTER: Mayor Daniel J. Stermer.

MAYOR STERMER: Here.

THE REPORTER: Ms. Anne Castro, Chair.

CHAIR CASTRO: Here.

### **CONSENT AGENDA**

**AGENDA ITEM C-1 - APPROVAL OF FINAL AGENDA FOR OCTOBER 22, 2015**

**AGENDA ITEM C-2 - OCTOBER PLAT REVIEWS FOR TRAFFICWAYS PLAN COMPLIANCE**

**AGENDA ITEM C-3 - APPROVAL OF MINUTES OF AUGUST 27, 2015**

**AGENDA ITEM C-4 - EXCUSED ABSENCE REQUESTS**

CHAIR CASTRO: Does anybody have anything for the Consent item they'd like to -- Agenda they would like to move or they'd like to move it, excuse me?

MAYOR STERMER: Move the Consent Agenda.

COMMISSIONER LONG: Second.

CHAIR CASTRO: And, please, before we finish it, notice that we have one excused for Commissioner Blattner. Does anybody want to amend that to add anybody else that's absent? Please let that be reflected.

MS. BOY: I just want to say School Board Member Good is on her way. She was running a little --

CHAIR CASTRO: She's late.

MS. BOY: -- bit late today.

CHAIR CASTRO: Yeah.

MS. BOY: Okay.

CHAIR CASTRO: Okay. All in favor? Any opposed? Seeing none, motion carries.

**VOTE PASSES UNANIMOUSLY.**

CHAIR CASTRO: Before we get to the Broward Next presentation, I wanted to recognize Commissioner McCartney for a few moments, please.

COMMISSIONER MCCARTNEY: Thank you, Madam Chair. I appreciate the opportunity. Some of you may know that I have resigned from my Commission seat. My family -- well, we've made some changes. My family will be relocating but still in the community. Unfortunately, I'll no longer be able to serve in Oakland Park, which means I'll, as an appointee in that capacity, I'll not be able to continue serving on this board. And I've not only enjoyed it, but I've found it -- it is very important work, and I've learned a lot. And I look forward to potentially the opportunity someday to come back or in some other capacity serve the community. And I thank you for your courtesies.

VICE MAYOR KIAR: Madam Chair?

CHAIR CASTRO: Yes, sir.

VICE MAYOR KIAR: I would just, you know, as the Planning Council, we have a lot of power and clout. Is there any way, would anybody support my motion to move the boundaries of Oakland Park over now to Fort Lauderdale so that Commissioner

McCartney can continue serving?

COMMISSIONER GOMEZ: I second.

CHAIR CASTRO: I'll -- I'll second it.

VICE MAYOR KIAR: All right.

UNIDENTIFIED SPEAKER: Mayor Seiler might have some issues.

CHAIR CASTRO: Yes.

VICE MAYOR KIAR: Okay. Well, we just won't tell him until it's over, so.

CHAIR CASTRO: I'm going to speak on behalf of the entire Council. It's been a joy and a pleasure having you here. As you know, you and I go back a few years, and it's always good when we pop up together, and we're able to work together. I really enjoy it. I wish you and your family nothing but the best. Personal decisions relative to professional ones are always very difficult, so I'm sure you did what was best for everybody. So thank you for your service.

(Applause.)

## **REGULAR AGENDA**

### **AGENDA ITEM R-1 - BROWARD NEXT PRESENTATION:**

CHAIR CASTRO: Okay. Back to the agenda. Broward Next presentation.

MS. BOY: Good morning. I'm just going to scoot over here this morning to take you through the Broward Next presentation. And Henry Sniezek's going to join me for part of the presentation, but I'm going to kind of give you the opening. In your backup materials, we included an outreach summary, so you can have a look at all the different meetings that we've been to, basically, over the past year. And what you'll see at the very bottom is November 3rd we're going back to Deerfield Beach, and that'll be our second time around with that city. So we're kind of starting the next group of municipal presentations. But it's been very -- I think a very successful outreach that we've had.

The second piece in your backup material is the land use outline, Land Use Plan outline. And that's the potential outline for how we anticipate the land -- the Land Use Plan looking after the Broward Next process. And then the third part of the backup materials are kind of the outlines for the highlighted regional issues. What I'm going to do this morning is just take you through a quick presentation that's kind of a toned-down version of what was given at the last ad hoc steering committee.

So, just to get started, like I said, it's going to be myself, and then Henry will also join me

for a couple of the topics. So as we did these outreach meetings, we had a couple of slides in here just to kind of let people, you know -- clearly, we know exactly what we're doing. So no one should be worried about that. So, you know, it's kind of a joke slide, but it's kind of that sentiment that we're here working with the municipalities and interested parties, and maybe we're -- we're all going to get through this together. So really, where we are with this, as I was mentioning, we've had over 60 meetings to different municipalities and interested parties. We've had the online survey. We saw the results of that earlier this year. And that really helped shape the direction that we're moving and the identification of really the highlighted regional issues. We've had a -- a very good relationship with our ad hoc committee, and that consists of Planning Council members, the League of City members, and the County Commission. So we have -- we've had a couple meetings with those, and most recently, we met with the ad hoc committee earlier this month, and they kind of gave us the go-ahead for this format and outline that we're going to present to you this morning.

I just want to show you a couple of photos. We really have been out in the community. And here we are at a couple different outreach meetings. We went to a great realtors' event last month at the -- at the Performing Arts Center. Here we are at another public outreach center. This is one of our -- one of our staff, Joe (Inaudible), at the City of Margate. And people were actually Tweeting about us, so I found that very exciting. So that's just a little screenshot of some of the Tweets about Broward Next at some of the events that we had.

UNIDENTIFIED SPEAKER: Is your microphone on?

MS. BOY: The microphone's not on?

UNIDENTIFIED SPEAKER: I don't see the light.

MS. BOY: Oh, it's -- can you hear me?

UNIDENTIFIED SPEAKER: Yeah.

MS. BOY: Okay. Yeah, okay.

UNIDENTIFIED SPEAKER: They asked me to remind everyone, but that's okay.

MS. BOY: I'll try to move closer. Let me see here. It's kind of a little bit short, or I'm not that tall. Okay. So where we are really in the process is we've taken all of the input that we've received at all these different outreach meetings, the different municipalities, the different interested parties, and we have developed a format for the Land Use Plan moving forward. So we have seven highlighted regional issues, and we're going to touch on four of those this morning. I'm going to list those out in just a second. We have a new Land Use Plan outline. That's what's included in your backup materials. And then we've also distributed a complete draft of the multi-modal transportation vision. And I'm

also going to show you a visual of that, coming up.

The first section of the anticipated plan is the highlighted regional issues and strategies. So really this is broken down to multi-modal transportation, attainable housing, targeted redevelopment, renewed partnership for intergovernmental coordination. Those are kind of the four -- first four topics that we've been tackling, and that's the -- those are the ones I'm going to give you a little bit of detail, but not a lot of detail about this morning. The next three that we're tackling, climate resiliency, you know, related to sea level rise and climate change; state of the art environmental protection, taking the policy that we had in the plan, protecting the environment; how do we move those forward? And then disaster prevention and post-disaster planning. So those are the seven highlighted regional issues and strategies.

And we've also held -- the first four topics, we've held additional outreach workshops to really start going through the detail on the presentation of what those strategies are and how we want the plan to actually function and work. Here's a quick look at just -- this is the multi-modal vision, and this is more of a visual -- a visual look. This is -- the ad hoc steering committee agreed to this format. You know, we've got pictures and words. When you look at the County Land Use Plan now, you know, it's a couple hundred pages of just a lot of words, not a lot of easily identifiable strategies. So we're really working towards identifying the strategies and then what are some of those things we can do to implement this. So this is just a visual of what this looks like, and this is the second and third page. So this first one came out to be about three pages. And as we send out the other strategies for comment, we probably won't include the pictures, because it just, you know, kind of impedes the format, and things kind of get messed up. But we'll make sure that this is how the plan is going to look when it's presented to you, and the content, you know, is carried forward.

The next steps of the plan are really going to be -- Section 2 is really about the implementation. So this is any enabling legislation or policies, statutory requirements, the permitted uses section, any incentive programs such as bonus density for affordable housing, that sort of thing, the Land Use Plan Map Series, that's the natural resource map series, the Broward County Land Use Plan map, all the things that are required. And then the third section, the final section, which I just saw a -- noticed a mis-spelling, Land Use Plan recommended practices. So these practices are really things that the County doesn't have the authority over, but they want to encourage municipalities, if they want to participate, kind of outlines those sorts of strategies and ideas in that section. So now just to start you with the renewed intergovernmental -- sorry. This is just -- sorry. This slide is just some of the best practices include ideas about smart growth and food systems and urban agriculture, any health impacts. This is kind of the thing where other policies kind of go -- belong. There could be extra things in here related to climate resiliency and redevelopment. Mobility, also.

So renewed intergovernmental partnership, you know, this is our why can't we all just get along. But, really, the idea behind Broward Next is that we all do want to get along,

and how can we accomplish that. So some of the strategies that we've identified to move the plan forward, related to intergovernmental relations, is streamlining the Broward County Land Use Plan and its approval process. You know, you sit here every month, as the Broward County Planning Council, and you're aware of how lengthy the process can be. And really refocusing the plan on regional issues and how that can be. So that's the idea before that. We've gotten a lot of positive feedback on this. Enabling the municipalities to modify their Land Use Plans to address municipal level issues without the need for County approval. One of the ways that we're thinking that this could be implemented is on the County plan we have five or six different -- I'll call them commerce categories. Commercial, employment center, office park, industrial. Taking those categories and possibly creating a commerce category on the County plan where the municipal plans would be more restricted with these categories, so if someone was changing -- if a city was proposing a change from employment center to commercial, it would already be reflected as that on the County plan. So that's kind of an implementation idea for that.

And then also supporting streamlined countywide development review programs. This is really related to the platting process, and there's kind of three parts to that. The County Charter enables the platting authority for the County, and then the County Land Use Plan has the implementation and the exemptions for platting, and then the third part is the Land Development Code and how platting and platting requirements and plat note requirements are required. So a lot of the input, especially the early input that we received is there's definitely a high demand for simplifying that process. So hopefully, we're going to be able to set the framework for that to be modified in the Land Development Code, in the future.

I just want to show you, this is -- to wrap up the intergovernmental, this is kind of -- this is your snapshot of what the County Land Use Plan, the map, looks like today. And this is just a draft. The next slide is of what -- how we're thinking of trying to streamline it and modify it to be more useful in the future. With that, I'm going to turn it over to Henry for a couple of minutes to talk about targeted redevelopment.

MR. SNIEZEK: Good morning. I'm going to really have to bend over to this microphone. Henry Sniezek, Environmental Protection and Growth Management Department. I just want to say it's been a real pleasure to work with Barbara and her staff and the Planning Council on this initiative. I'm going to talk quickly about the targeted redevelopment, a couple of potential strategies we have for that one. And keep in mind that we're expecting an additional 250,000 new residents to the County within the next 25 years, and continued economic growth. So the question is, you know, what should be done with that. And we have talked to some civic associations, and they're very concerned about protecting their neighborhoods, so the first potential strategy for targeted redevelopment is to prioritize new development to existing downtowns and major transit corridors or activity centers. And I think they're called, like, the RACs, LACs, TODs, and TOCs, I think, that's your regional activity center, your local activity center, transit oriented development, and transit oriented corridors. So that's one strategy for potential



redevelopment.

Another is to support incentives to remove blight within Community Redevelopment Areas. There's been a lot of talk about trying to marry the Land Use Plan to our CRAs to have some incentives, something going back and forth in that. You know, the County has a Broward Redevelopment Program, which the County would like to grow, and also there is the issue about the sunseting of CRAs, which is kind of separate from the Land Use Plan, though I think the Land Use Plan could be used to support redevelopment within CRAs or similar areas in the County. And the last issue is a transfer development rights program. That was an issue that came up when this initiative was started. I think we're -- at the staff level, at least, we're favoring adding that to the plan, not so much that the County plan would have a TDR, but it would authorize municipalities that have that. And just remember, a TDR program is supposed to serve a public benefit, so the areas we're moving development away from are areas that you do not want development to occur; and the areas that you move development to, the receiving areas, are the areas that you do want to promote development. So these are three strategies that we're looking at right now for targeted redevelopment.

UNIDENTIFIED SPEAKER: Yes.

MR. SNIEZEK: So I guess it's going to be Barbara's turn now, again, and I'll come back.

MS. BOY: Yeah, so just -- thanks, Henry. The multi-modal transportation, so when we sent out the multi-modal transportation over the summer for comments, we received a lot. Three pages generated probably about, once we put it together, 12 or 13 pages worth of comments. So what we actually did with that was we took the opportunity to say, okay, some of these are going to be more appropriate for Section 2. Some of them we can work into Section 1. So this is probably the piece of the first four pieces that we're furthest along with. So really, for the multi-modal transportation, the strategies that we've identified is really making the best use of our transportation network. And, you know, that sounds very -- really simple, but moving people, goods, and services, and moving them wisely, promoting Complete Streets principles where they're appropriate, and making sure that people are moved on the proper roads, and probably goods and services, kind of like freight trucks, are on different kinds of streets. So making sure that's appropriate.

The second strategy we've identified is really adjusting the transportation and housing connection. And this is probably fresh on everyone's mind, because we're talking about -- we're going to be talking about that a lot today with the Downtown Fort Lauderdale Regional Activity Center. But it really is recognizing that these costs and these planning opportunities kind of come together. You can't have one without the other. You're not going to have a successful transportation network without density and housing opportunities along those arterials. So this is one of the potential strategies.

The next strategy is identifying a sustainable funding source for countywide transit

needs. You know, much of the funding comes from the federal and state government, and a lot of the input that we've received over the past year is that we need to have a sustainable funding source that won't go away for countywide transit needs. And, finally, identifying and implementing a multi-modal level of service standard for redevelopment proposals. So this piece is really just about shifting away from single occupancy vehicle analysis that we've reviewed for so many years through the Institute of Transportation Engineers and those analysis that we provided, and, where it's appropriate, making sure that those analyses properly address redevelopment and the housing and transportation connection and the multi-modal opportunities for pedestrian, bicycle, and transit, and how those things get accounted for when we handle a Land Use Plan amendment analysis. So those are the four strategies. And Henry is going to talk about housing, for a moment.

MR. SNIEZEK: Thank you. I'm going to finish up here. Housing, always a very interesting topic to talk about. There's -- I think we've got four strategies that we're going to show you this morning. One's just a sustainable funding source for the County to -- and the municipalities, for that matter, to develop and rehabilitate attainable housing. Right now, the County is looking at a linkage fee, a potential linkage fee for non-residential developments, since new non-residential developments creates employment, and those people need housing. That's something we'll probably be taking to the County Commission, in one form or the other very shortly. Support of development which utilizes construction techniques which are affordable. That's basically engaging the development community. Maybe there are techniques out there that aren't really used a lot in Broward County. We want to explore that. Maybe there are some things that can be done to encourage outside the box type of housing development in the County that would be in the more affordable range that would also be resistant to hurricane-level storms. We have a very strict building code here.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MR. SNIEZEK: We're working on an attainable housing bonus density. That's -- we already have that in the plan. It hasn't been used for various reasons. We're trying to loosen it up so it is something that we would use. It would -- the formula we have right now is if a developer has -- wants to build one moderate income housing unit, they get one market rate housing unit. If a developer wants to build one low income housing unit, they'll get three market rate units. And if you want to build one very low income unit, you get five market rate units. So we're looking into that formula to see if it's still workable, and try to incorporate something like that into the new Land Use Plan. And last but not least, what is the role of municipalities in affordable housing strategy? We have the policy in the in the -- your plan right now, Policy 1.07.07, which I know is the subject of several of your agenda items today. We're still working with municipalities and other interested parties to see if there's something that could replace that or enhance that policy.

Here's a couple examples of alternative affordable housing products. Maybe this is a multi-family unit that's -- the development that's modular housing, so they are out there.

And this is a shipping container housing. So we're working with a group that's trying to promote that in Broward County. I'm not sure if that's feasible. I couldn't say that's hurricane resistant, so they're looking into that. So if it is, we might be back with you on that. Associated issues. I just don't want you to think that just because we've covered the four issues, we're not -- aren't going to be looking at the other ones.

Right now -- after this, these four issues that we talked about today, we're going to be talking about climate resiliency, and environmental protection, and post- and pre-disaster planning. And there's other issues associated with those issues, health impact assessments, historic preservation, just how you deal with activity centers. So just want you to know there's a bunch of other stuff still on the way. And our timeline is we're hoping by your break next summer we can have a good set of recommendations for you to consider and then take to the County Commission. And, like Barbara was mentioning, we're going to start doing the -- a feedback loop with our cities and with other interested parties. As we develop recommendations, we're going to always have a feedback loop of comments from others. And, with that, thank you. And I guess if there's any questions, we're here.

CHAIR CASTRO: Before we get started, would Nancy -- Ms. Cavender, would you let the record reflect that Richard Grosso and Mary Graham came in at the beginning of the presentation, and School Board Member Good has arrived, as well. Thank you. Mr. Grosso.

MR. GROSSO: Thank you, Madam Chair. Thank you for the presentation. I think that this effort is enormously important, and it's this planning level stuff that we do that gets us out ahead of problems that are coming. I've got some issues that I just want to throw out there for discussion and consideration. It seems to me that with our climate, our sea level rise, our current affordability and transportation issues, do you feel like we're setting this plan up that our ability to pay for new development, our ability to keep it, you know, dry, our ability for people to continue living here, is that driving the number of units we're planning for the future, or are we still kind of letting the population projections be the starting point, and then we hope everything else works out fine? I'm wondering if we're really approaching this from a kind of carrying capacity, how much new development downtown can we really accommodate, and then that's great, but let's not let the numbers drive, you know, everything and sort of trump the reality, fiscally and physically, of what we can do here. I mean, what would be your response to that?

MS. BOY: I would actually say it's a combination of both -- of both things. I mean, there's anticipated population that's coming here, and we have to balance that with the challenges that we see ahead. So not to keep touching on the Downtown Regional Activity Center, but I think that's a -- it's a really good example.

We're trying to bring together transportation, housing in the downtown area. This is identified as potentially within a parity planning area map. It's identified as a potential, some of the pockets of the two level sea level rise. And what the municipality has done

for planning and how it's going to allow and create development in the future, it's been addressing that, also. So I think it's both pieces. I don't think that we can think of one without the other. You know, I think if we take the approach that, like, well, you know, sea level rise is going to impact things, and we're not going to allow for any more development in Broward County, and there's some sort of moratorium, and you're -- that's a real -- that's also a risk on the County's part. So I really think it's a balance of both.

MR. GROSSO: Right. But, I mean, I'm not suggesting no more --

MS. BOY: Uh-huh.

MR. GROSSO: -- development.

MS. BOY: I'm just taking the extreme. I'm not, either. I'm just saying like if we -- if -- depending on what the approach is, and I think we are trying to take that balanced approach of we recognize all of these things are happening, and how they are being addressed.

MR. GROSSO: I would -- also, if I may, I'm hoping that we would really take a hard look at our responsibility to make sure that our existing residents and taxpayers can afford the fixes that we're -- we're talking about, I mean, whether that's impact fees, linkage requirements. You know, we've seen a lot of the unintended consequences of just development for development's sake.

MS. BOY: Uh-huh.

MR. GROSSO: And so I think we need to not be as shy as we've been in the past in terms of make -- ensuring that new development pays for itself --

MS. BOY: Uh-huh.

MR. GROSSO: -- and ensuring that new development leaves room for our kids to live here, be able to afford to live here, too, as opposed to putting our emphasis on, you know, somebody from Wisconsin, their right, that really doesn't exist, to move down here and exacerbate our problems.

MS. BOY: Uh-huh.

MR. GROSSO: I'm not saying shut the door --

MS. BOY: Uh-huh.

MR. GROSSO: -- but we have a fiscal responsibility to make sure development actually pays for itself and doesn't make living here unaffordable for our own kids. And I'm really

hoping that that's going to be the predominant approach here.

MS. BOY: I would also say, you know, as we're just starting to get to work on the -- kind of the climate change, the sea level --

CHAIR CASTRO: Uh-huh.

MS. BOY: -- rise aspect of the seven highlighted regional issues, and that's certainly kind of at the top of the charts for strategies for that. So that will come, you know, and be one of the seven primary pieces of what we see as the regional issues for the County.

MR. GROSSO: Okay. Thank you.

CHAIR CASTRO: Uh-huh.

MR. GROSSO: Thank you, Madam Chair.

CHAIR CASTRO: Anyone else? I just want to jump on the bandwagon. I think you guys are doing a phenomenal job. The last ad hoc steering committee was very informative. You know, you've put out a great outline now. You've organized the material in a way that I think it's very easy for people to understand. I am going to caution all the members, as they go through the process and actually start filling in everything under those strategies, that we all pay attention, make sure our cities pay attention, the residents pay attention, because the devil's in the details, as the lawyers like to say. And I think to Mr. Grosso's point, you can't close the doors, obviously, and so we're going to have to deal with it. That's why the market rates of affordability down here are going to keep some people from moving down here. It hasn't really hit yet. It's kind of like a road race. We're not in enough pain yet.

So, to his point, I think when the pain is starting to be felt, I think you'll see a different personality come up from electeds and other people to do exactly what he's suggesting, and that is start putting money on the table. Otherwise, we're all going to have a big struggle. And I know later we're going to talk about the Adaptation Action Areas, and I -- and, again, I'm bringing that up because, you know, that becomes sort of a way to start, as we were talking earlier, funding, directing funding to these areas that are potentially a problem and fixing them and trying to fix them. I don't know how we can hold the ocean back, but we're going to have to figure out a way. The Dutch seem to be managing it, so we'll have to see what we can do. So any other questions before we go on? No? Okay.

**AGENDA ITEM R-2 - COUNSEL'S REPORT:**

CHAIR CASTRO: Counsel's Report.

MR. MAURODIS: Actually, just a brief comment, Madam Chair. The question was raised

previously about legislative --

CHAIR CASTRO: (Inaudible.)

MR. MAURODIS: -- yeah, I thought (inaudible).

UNIDENTIFIED SPEAKER: He's going to speak?

MR. MAURODIS: Yeah, I was hoping School Board Member Good would be here in time to make a comment. No, because she generally smiles when I say, no comment. The question was raised on impact fees in the Legislature, and there is information that would lead us to believe that there will be another attempt this session to restrict the ability of local governments to impose transportation concurrency on certain small developments. Last year, there was an attempt to -- I don't want to say, sneak in, but include in the comprehensive bill a provision for restricting the imposition of transportation concurrency for commercial developments that had less than 12 employees or less than 6,000 square feet, except by a super majority vote of the Commission.

There was also a provision that would limit the ability to impose transportation concurrency if the municipality or County regulated certain transportation providers, to wit, Uber. Those were passed by the House, but not adopted by the Senate. There's anticipation by the Florida League of Cities that another attempt will be made this coming session. Nothing has been filed that I know of at this point, but at the time I was asked, I was not aware that this might be coming up, and I wanted to just update you on that.

CHAIR CASTRO: Thank you. Commissioner -- Vice Mayor, excuse me.

VICE MAYOR KIAR: Marty.

CHAIR CASTRO: Vice Mayor Marty.

VICE MAYOR KIAR: Thanks, Andy. Andy always does a wonderful job of keeping us informed. And there is another issue, and I don't know how much it affects us here, but it does -- is going to affect, if it passes, I think every municipality and local governments very negatively. And I'm not sure if you touched on this, Andy, but, as you know -- and I know that, for example, Commissioner Castillo's been very involved in this -- is we've been doing everything in our power to prohibit the folks from drilling off of Broward County's Everglades. And right now, under Florida law, if you are a local municipality or a local government, you're permitted to ban fracking and drilling within your boundaries. And so, of course, the County Commission is standing in the way of Kanter, I guess, Real Estate, the company that would like to drill out there, from being able to do that. So a bill was filed, I believe last month, by, I think, Senator Richter and Senator -- oh, no, Representative Rodriguez, which would take away the ability of all local governments to

ban fracking and drilling within their boundaries. And I just wanted to let everybody know that, because that's a very significant piece of legislation that, honestly, is -- gives me lots of concern, so.

MR. MAURODIS: And you are correct. And many of the cities --

VICE MAYOR KIAR: Yeah.

MR. MAURODIS: -- have passed resolutions, I think, in opposition to that, because that is a real threat. You are correct.

VICE MAYOR KIAR: It is. Thank you. Appreciate it.

CHAIR CASTRO: Maybe a thought is to limit the representatives in Tallahassee -- no, just a thought, just think about it. If they want to do something, whoever signs up for it, they can only eliminate it in their --

UNIDENTIFIED SPEAKER: (Inaudible.)

CHAIR CASTRO: -- jurisdiction.

VICE MAYOR KIAR: Yeah.

CHAIR CASTRO: That would probably take care of all the problems, and there'd be a lot less voting going on up there.

VICE MAYOR KIAR: And you know when --

COMMISSIONER MCCARTNEY: May I comment? This is -- this underscores the importance of Home Rule, which is --

CHAIR CASTRO: Absolutely.

COMMISSIONER MCCARTNEY: -- and it, you know, politics is local government, really is king. And it's ironic, I think. And I will leave it at that. It is ironic that this Legislature is attempting to limit local power.

VICE MAYOR KIAR: Extremely. And then, Chair, if I may add, you know, when I was in the Legislature, I was always very excited for session to start. I couldn't wait. Now that I'm local government, I can't wait for session to end.

(Laughter.)

VICE MAYOR KIAR: It's always better when they're not there, so.

CHAIR CASTRO: Different perspective. Anything else?

**AGENDA ITEM R-3 - EXECUTIVE DIRECTOR'S REPORT:**

CHAIR CASTRO: Okay. Executive Director's Report?

COMMISSIONER CASTILLO: Very uplifting conversation. Thank you.

MS. BOY: Good morning again. For the Executive Director's Report, I have a couple items besides the one that's in your book. The first item is the November/December combined meeting date. And I want to let you know, what I had reported in your backup materials, I've actually had someone contact me, and now December 17th is the date that we have the most dates -- the most members available for. And I'm going to make a push for December 17th for one second. Just pardon me.

We have an upcoming affordable housing potential policy update. We had a workshop last week, and I'm going to send it out to the municipalities and the League of Cities today. I spoke with the League of Cities, yesterday, and the earliest agenda that it will be able to be on their board meeting is December 3rd. So in order at least to have the presentation at the League of Cities, the December 17th date would accommodate that, so we would be able to have part -- that outreach accomplished. Other than that, it's the pleasure of the Council on the date that you choose.

CHAIR CASTRO: Any issues, objections to --

UNIDENTIFIED SPEAKER: The 17th?

CHAIR CASTRO: -- Vice Mayor, December 17th?

VICE MAYOR KIAR: I have no objection. Of course, I just have to say I won't be able to be there. My ten year anniversary has morphed into a Disney cruise with my kids, so --

(Laughter.)

VICE MAYOR KIAR: -- that's what we're doing. Thank you.

MR. PARNES: You can always take us with you.

VICE MAYOR KIAR: I'd love to have you come with me.

CHAIR CASTRO: Okay. Who can commit to December 17th so we have a quorum?

MS. BOY: Yeah.

CHAIR CASTRO: We have a quorum? We're good? Okay. December 17th. Okay.



MS. BOY: Okay. Great. Thank you. The second piece of information is kind of fun news. The County does the United Way countywide fundraiser every year. And Planning Council staff, you know, individually participates through payroll deductions or whatever it may be. But this year, we're actually doing an inaugural office-wide fundraiser, and we chose the Florida-Florida State game for the purpose of our fundraiser. We're calling it A House Divided to Live United. And we've decorated our office door, and we're selling football squares, 100 squares at \$10 apiece. And the winner will get -- there's a halftime winner for a hundred dollars and the game -- final game score winner for \$400, and then \$500 will go to United Way, at least. And I've already committed that if I win the money, all of the proceeds will go to the United Way. So thanks to Mr. de Jesus, we brought the board with us this morning, so if anyone's interested in participating, just see someone after the meeting.

MR. DE JESUS: Madam Chair?

CHAIR CASTRO: Yes, sir.

MR. DE JESUS: I thank you for that. I thank you for your efforts for the United Way. I think it's a great organization. And I will buy a square, because I know that Florida State's going to win, and I would challenge and encourage my colleagues to do the same. And I'll do the same commitment as you, if when I win, I will commit the proceeds to United Way.

COMMISSIONER GOMEZ: If I may, I've already bought my square. Gators are going to win, and my money's going right back to United Way.

CHAIR CASTRO: Thank you. Now you're signing them up. Thank you. Anybody else? Okay.

COMMISSIONER CASTILLO: I pledge my winnings to the Greer Legal Defense Fund.

MS. BOY: I just have one more item related back to the fiscal -- fiscal year 2016 just started at the beginning of this month, and I wanted to let you know that unrepresented employees, which are the ten Planning Council staff, it's been authorized by the County, any unrepresented employees will receive a three percent increase, and that'll be included in the paycheck. So I just want to let you know that that will -- so your budget number that you see for FY '17 will be slightly impacted for what you approved for FY '16, but in a positive way --

CHAIR CASTRO: It's well deserved.

MS. BOY: -- for the staff.

COMMISSIONER CASTILLO: Congratulations.

Planning Council  
10/22/2015  
LG/ NC/ AS

CHAIR CASTRO: Congratulations.

UNIDENTIFIED SPEAKER: (Inaudible) three percent.

VICE MAYOR KIAR: Yeah.

CHAIR CASTRO: Yeah.

MS. BOY: And then --

CHAIR CASTRO: Three percent of nothing.

MS. BOY: -- items -- I just want to let you know, we have people signed in to speak on Items 4 and 7, and Items 5 and 6 were discussed at the Land Use Trafficways Committee earlier this morning, with a recommendation of approval.

### **PUBLIC HEARING**

**AGENDA ITEM PH-1 - RECERTIFICATION PCR 15-17**

**AGENDA ITEM PH-2 - RECERTIFICATION FOR PCR 15-18**

**AGENDA ITEM PH-3 - RECERTIFICATION PCR 15-19**

**AGENDA ITEM PH-5 - AMENDMENT PC 15-3**

**AGENDA ITEM PH-6 - AMENDMENT PCNRM 15-2**

CHAIR CASTRO: Okay. Moving on to the Public Hearing. We have three items that are quasi-judicial, so if you had any conversations, please disclose them.

MR. MAURODIS: They have been waived.

CHAIR CASTRO: They've been waived? Thank you, sir.

MAYOR STERMER: Move Item Ph-1, Ph-2, PH-3, PH-5, and PH-6.

COMMISSIONER MCCARTNEY: Second.

CHAIR CASTRO: I have a motion and a second. All in favor? Any objections? Seeing none, motion carries.

**VOTE PASSES UNANIMOUSLY.**

**AGENDA ITEM PH-4 - AMENDMENT PC 15-14**

CHAIR CASTRO: Back to PH-4.

MS. BOY: Thank you. Item PH-4 is a proposed Land Use Plan amendment in the City of Sunrise. It's about 6.7 acres. The proposed change is from a combination majority office park, a little bit of community facilities, and a very tiny sliver of low-medium ten residential to medium-high 25 residential, adding about 163 dwelling units to the Broward County Land Use Plan, where there's four dwelling units permitted now. Planning Council staff analysis of all the facilities and services showed that there were sufficient facilities and services to provide for the land use change. Transportation was okay. No environmental impacts.

Planning Council staff has recommended denial, though. This plan -- this Land Use Plan amendment proposes to add more than 100 dwelling units to the County Land Use Plan, and it's, therefore, subject to Policy 1.07.07 regarding affordable housing. And what Policy 1.07.07 says is that for any amendment adding more than 100 units, the municipality's going to demonstrate how it's promoting and maintaining affordable housing within its municipality. At the time of the writing, and as of today, they've been working with the City of Sunrise staff, and they haven't yet completed that task. However, the applicant asked to be on the agenda, so, unfortunately, the recommendation is for denial. And, with that, there are two people signed in to speak, Bill Laystrom and Mark Lubelski.

MR. LAYSTROM: Good morning. My name is Bill Laystrom, on behalf of the applicant. I appreciate the opportunity to be here and kind of describe how the land use process starts. When I came to this property, it's already built. We were not planning to add a single wall or anything. What we wanted to add, some more parking to our site. So if you see this spot here, approximately 100 parking spaces. That's what we started with, and that's the whole application that started. However, the property was not land used or zoned correctly, so your staff and the Sunrise staff correctly said, look, you need to correct this, and change it over to residential, since you're going to be an apartment complex rather than a hotel. So we understood that. So we started moving through the process, again, for the purpose of putting in a parking lot, so there would be more parking for this facility that exists. And when we reached the point where we applied for the County, the County said you need to -- the city needs to follow through and comply with the affordable housing process.

I'm in a situation that I've got a 1031 exchange, so I'm just trying to keep my process moving forward. We are prepared to continue to discuss affordable housing fees with the staff and with the City of Sunrise. They have been very cooperative in talking with us. They did ask that we wait until the rules changes came in place. The challenge for us with that is, to me, the schedule for that, if approved by the County, at the end of the day, would be sometime in May or June. The city would then have to put in implementation policies in its plan to match those. And 30 days would be unusually optimistic. Six months might be more reasonable. No offense, but it's a lot of discussion on how you want to have those new policies that would be coming in with the new rules. So what I'm asking for today is consideration of the following. There is no impact today on affordable housing as a result of my project, and this is an impact fee. My project is

already built. It's in place. I'm not adding a unit, not adding an individual to the facility at all. I'm simply adding a parking lot. So I have said to the staff, wait a second. I really don't have an affordable housing impact as a result of this impact fee. Now, if it's an administrative fee or a tax or some other type of assessment, then I would normally be charged for that.

So today I'm asking just to move forward to the second reading. I will continue to discuss with the staff. We are prepared to contribute toward affordable housing. I'm not suggesting that we are not. But I was placed in a position of I can't wait until the solutions come to place and still move this project forward. And as I said, it's a side -- basically, a parking lot that we're proposing to add to this facility. So what I would ask that you consider is one of two things. I would ask that you move it forward with a recommendation of approval, since we meet all the other requirements, subject to continued negotiations to resolve a contribution toward Policy 1.07.07. In the alternative, if you have to recommend denial, I certainly would appreciate your comments and thoughts that the balance of the project is acceptable, other than the fact we don't meet that policy. And with that, I'd be happy to answer any questions. I know I've only focused on the affordable housing component, because that was the part that was in the -- in the staff report. I am prepared to discuss all the other elements of the project, if you want me to.

CHAIR CASTRO: Before we do that, who's the other speaker, you said?

MS. BOY: The second speaker is Mark Lubelski, on behalf of the City of Sunrise.

CHAIR CASTRO: Okay. Does he want to speak now, or is he just here for questions or?

MR. LUBELSKI: I would like to speak to this.

CHAIR CASTRO: Please, come on. Then we'll open it up to questions for both of you.

MR. LUBELSKI: Mark Lubelski, Assistant City Manager, City of Sunrise. Thank you for the opportunity for speaking today. First, I'd like to say the City of Sunrise fully supports affordable housing and affordable housing initiatives. We have done many programs through CDBG S.H.I.P. We have also partnered with Habitat for Humanity for the construction and rehabilitation of affordable housing. We have worked with Pinnacle Development to provide incentives for them to develop affordable rental housing in the City of Sunrise. And, in addition, the City Commission initiated a new home buyer incentive program for the purchase of foreclosed and short-sale properties, to provide incentives for those properties to be purchased and rehabilitated. That being said, the city intends to comply with Policy 1.07. We did submit a letter to the Planning Council on April 29th of this year outlining what we believe is compliance with that policy. That is attached to your backup today.

Planning Council staff has been very good to work with. However, they do not feel that

our letter complies with the requirements of that policy, and they've suggested that we adopt the 2014 Broward County Housing Study that was done in 2014. That study, we do not concur with. The study shows that there's a significant gap of affordable housing in the City of Sunrise, I think, of approximately 8,000 units. We know our city very well, and we do not concur with that, so much that the County has now, as you mentioned earlier, they are now in the process of doing a brand new study with a new methodology. There was a workshop last week. Based upon that workshop, data has been provided to the City of Sunrise, and it is demonstrating that, overall, across the board there is actually a surplus of affordable housing in Sunrise of approximately 5,000 units. And we have not fully reviewed those -- that study or the data to be able to say we concur. However, we believe that is more in line with what we believe, in terms of the City of Sunrise. So we will continue to work with the applicant and planning staff to comply.

Just as a little history on this property, this property has been vacant for quite a significant period of time. It was an Extended Stay Hotel. We have worked with many developers over the last several years to try to get it as a -- stay as an Extended Stay. However, there just is not a market for that in this area. So at this point, the developer has purchased the property. We believe that this is the best use, to take a property that has been vacant for several years. We support this project. And that concludes my presentation. Thank you.

CHAIR CASTRO: Thank you. Okay. Now we'll open up. Commissioner Castillo.

COMMISSIONER CASTILLO: Mr. City Manager, Mr. Laystrom --

UNIDENTIFIED SPEAKER: The face.

COMMISSIONER CASTILLO: Mr. Laystrom indicated that he's building a parking lot. He's not building any additional structures, just -- it's just a parking lot. Why is this parking lot needed if the other -- if the building was built to code, and there's parking there? What is the purpose of the additional parking?

MR. LUBELSKI: That's an excellent question. When the property was built, it was built as an Extended Stay Hotel with a parking ration associated with an extended stay hotel. That hotel had the sufficient number of parking spaces to meet that requirement. Converting this to residential requires, by city code, additional parking spaces, and thus that's why it necessitates them to build an additional parking lot.

COMMISSIONER CASTILLO: So when the buildings were converted from Extended Stay to, let's call it, permanent housing, it was short parking spots, and this is what would take care of that?

MR. LUBELSKI: Correct.

COMMISSIONER CASTILLO: And are these rentals?

MR. LUBELSKI: I'm going to defer to Mr. Laystrom.

MR. LAYSTROM: Yes, they are.

COMMISSIONER CASTILLO: Okay. And are there any rentals there within the affordable range?

MR. LAYSTROM: The Pinnacle Project, which is affordable, is immediately next door on Pine Island Road.

COMMISSIONER CASTILLO: Would they be using this parking?

MR. LAYSTROM: They would -- they would not be using this parking.

COMMISSIONER CASTILLO: Okay. So within these structures, are there any affordable units?

MR. LAYSTROM: No, there are not.

COMMISSIONER CASTILLO: Would your -- would your client be willing to pledge some of these units to affordability?

MR. LAYSTROM: We've indicated that we would certainly work to provide some affordable housing contribution. We find that the sharing of units within a single project is not an effective way to do that financially for funding of a -- of the project or financing of the project. But that does not mean we would not contribute. It's simply that where you have set aside units, you then run into the issue of different rents, different contributions. Our rents are effectively set by the projects that are around us already, so there's not -- we just can't raise the rent to pay more fees.

COMMISSIONER CASTILLO: So you've indicated that you're still in conversations with the city to comply with the requirement.

MR. LAYSTROM: Correct.

COMMISSIONER CASTILLO: In what ways do you anticipate being able to do that?

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. LAYSTROM: I anticipate that there will be a discussion at the County Commission as to how much per unit we should pay, and a discussion with the city staff about how much per unit we should pay.

COMMISSIONER CASTILLO: Thank you.

CHAIR CASTRO: I'm going to do Vice Mayor Kiar, Mayor Stermer, and then Ms. Graham.

VICE MAYOR KIAR: Thank you, Madam Chair. With regard to this issue, I do not have a conflict of interest, but in order to -- after speaking with our attorney, in order to avoid even an appearance of a conflict, I'm going to abstain from voting. My sister-in-law works for the applicant. So I'm not going to -- I don't have to leave the dais, but I'm going to -- I'm not going to vote on the matter. Thank you.

CHAIR CASTRO: Thank you.

VICE MAYOR KIAR: I'll fill out the appropriate form within the time period required.

CHAIR CASTRO: Thank you. I have Mayor Stermer, Ms. Graham, but first, Ms. Boy, do you want to say something?

MS. BOY: One thing I just want to mention about the Land Use Plan amendment. I failed to mention that it's a small scale amendment. So the small scale amendment requires two Public Hearings at the Planning Council back-to-back before it goes to the County Commission. So this isn't a situation where there's a transmittal phase.

CHAIR CASTRO: (Inaudible.) Mayor Stermer.

MAYOR STERMER: To my dear colleague three seats to my right, this project is in your city. We generally try, when we sit here, to at least get the input from the local government. We know you have an Assistant City Manager standing here, but you're the Mayor of the city. I know we try hard to defer to the local governments and what they do. And Bill knows what I'm about to say next is normally if a city says they like a project, then absent some horrific thing over here, we generally say we like it. The problem is the City of Sunrise hasn't weighed in yet. If -- you know, accepting the policy that we've sort of done of listening to local government, beforehand, you guys haven't spoken yet. What would you like to do with the item today?

MAYOR RYAN: I'd like this item to be moved forward with approval. And I will point out that the property just to the south -- and this is what's so ironic about how this policy is implemented. The old policy, we're 8,000 short. New policy, we're 5,000 ahead. It's a whole separate issue. There is this property-by-property analysis that we could always do, and say, will you dedicate a certain number, but literally right next door is the Pinnacle Affordable Housing Project. That is incredibly successful. There's a waiting line. In addition, the city has dedicated itself to affordable housing in unique ways. We've donated empty park land --

UNIDENTIFIED SPEAKER: Uh-huh.

Planning Council  
10/22/2015  
LG/ NC/ AS

MAYOR RYAN: -- to put Habitat for Humanity homes in. We've gone through and picked the worst houses on the block and helped to make sure those were purchased and given to Habitat for Humanity. The idea that we've not complied is really hard for me to understand, overall, other than it is a box checking mission as opposed to a qualitative analysis. In some sense --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR RYAN: -- it's ironic to me that Sunrise has gotten to the point that we don't even have affordable housing under one theory. And maybe that says a lot about how popular Sunrise is. Everybody wants to move there, and the prices are rising too rapidly, but that's not the reality. In the backup, which I think is N, to the -- what the city provided, it also outlined a number of homes that are under 200,000. So I think that, given the locale, we meet affordable housing.

When you look at this property, it is, with all due respect to the developer, it's really an issue of blight, at this point. It is bringing down the area. And so we're faced with this problem of keeping a project to make sure prices stay deflated to provide affordable housing and blight. And so I think this is a matter -- and I agree -- I've not talked to Mr. Laystrom about this, but I agree that this is really a matter for the County Commission. I think this meets our standards in the City of Sunrise, and we certainly are hard on developers. But this meets our standards, and we do take exception with the idea that we've not met the affordable housing policy in its spirit or in its actual application. Thank you.

CHAIR CASTRO: Ms. Graham.

MS. GRAHAM: Thank you, Madam Chair. Mr. Laystrom, just a couple questions I want to have on the record. You had mentioned that it was built as an Extended Stay. Roughly, when was the project constructed?

MR. LAYSTROM: I want to say in the '90s.

MS. GRAHAM: Okay. 19- -- mid-1990s?

MR. LAYSTROM: Mid '90s.

MS. GRAHAM: Okay. So at one time, the demographics and the demand allowed it to operate as an Extended Stay, and there wasn't a problem?

MR. LAYSTROM: I believe that's the conclusion. I did not represent whoever owned it --

MS. GRAHAM: Right.



MR. LAYSTROM: -- at that time.

MS. GRAHAM: And at some point, it was no longer profitable. They didn't have the demand, and now it's been vacant for how many years?

MR. LAYSTROM: Again, we purchased it, so I'm not aware of exactly --

MS. GRAHAM: Okay.

MR. LAYSTROM: -- how long, but --

MS. GRAHAM: But it hasn't --

MR. LAYSTROM: -- it's been a while.

MS. GRAHAM: -- been used for at least a year, then?

MR. LAYSTROM: Correct.

MS. GRAHAM: And so someone's come along now, and they see the potential, and all they have to do is add some parking to make the minimum parking ratio meet the city's zoning requirements for habitable units as opposed to Extended Stay. I just -- I know that we don't always have grandfathering-in addressed when we do some of the decisions that we make here. And I normally would never vote against staff's recommendations. I defer to them. But as Mayor Ryan just said, it's -- it defies any logic. And the only thing -- comment it would have is you now have that pervious area landscaped, where all of the storm water is now going. So we talk about flooding, and it has nothing to do with sea rise, because they're so far inland, but you do have groundwater. So as long as they address that somehow, I can support it. Thank you.

MAYOR STERMER: Madam Chair?

CHAIR CASTRO: Before I recognize Mayor Stermer, I'm just going to make a brief comment. I'm going to support moving this forward with the continued discussions of 1.07. And that's not a slight to Sunrise, but as somebody who's every day dealing with the affordable housing issue, personally and professionally, I think the tension now, and I'm not saying I'm for or against what it is, but I'm telling you what the tension is now is the concentration or de-concentration of people. So when you see why people are going after one project, it's because even if it's just one project, they want diversity from an income standpoint or financial standpoint of view. And to give you examples, and I think I've mentioned it from here before, there was a project somewhere, I believe in New York, who, in order to meet the affordable housing component, a project literally built two buildings that were built into each other, except the front entrance for the wealthier side of the building had a doorman and a nice porte-cochere and all that, and the back one was just a double glass door with an old rickety elevator and all that kind of stuff.

And that speaks volumes to people.

That's why public housing is going away, because there's a stigma attached to projects. Not the development kind, but the low income housing kind. So that's why you're seeing this tension, for better or worse. Now, is it always going to fit? No. As some people have said, it's hard to tell a developer who's building a 40, you know, story condo on Las Olas Boulevard where he needs to get I don't know how many dollars a square foot that he has to make 15 percent of the units affordable. And so there's going to be this tension. And I just want to bring that out so that people don't think some people are just being crazy or ludicrous. They're trying to balance the current theories and the current tensions in how to deal with that.

And then Broward County is particularly unique, to me, because we have the 31 cities. And you all know, especially you Mayors and Commissioners, who are the poor cities and who are the wealthy cities. And even though the poor cities are all poor, you can't develop the affordable housing because that's where it is. You need to spread it around a little bit. So that's kind of where the tension is, I think, from the County point of view. And I'm just saying that because that's what I keep hearing. Whether you agree with it or not, I'm not sure how I agree. But since Weston was designed, whoever's from Weston, or Parkland or wherever, Parkland particularly was designed to have estate only homes. I get it. Now, how do you push them into an affordable housing component? I don't know. Is it even fair? I don't know. So this is something we're going to be wrestling probably for the next decade or two as the 250,000 people a year keep streaming in from Wisconsin and for which we don't have any housing for, and --

COMMISSIONER CASTILLO: I like Wisconsin.

CHAIR CASTRO: -- and I love Wisconsin. They have great cheese.

UNIDENTIFIED SPEAKER: Great cheese.

CHAIR CASTRO: And the flooding's coming up. But I am going to support moving this forward and giving you time, the staff and city and everybody, to continue the negotiations, because, like Ms. Graham, I agree that this is a good repurpose of this. Now, I'm assuming all these are one bedroom units, because you're not changing the interior of the building?

MR. LAYSTROM: We're not changing the interior --

CHAIR CASTRO: Okay. So --

MR. LAYSTROM: -- but there are some two bedroom.

CHAIR CASTRO: -- some two bedroom. So it's going to lend itself to probably -- I've been in Extended Stays -- not huge apartments. I would image the square footage is

about 600 on a one bedroom.

MR. LAYSTROM: I think --

CHAIR CASTRO: 500, 600 square feet?

MR. LAYSTROM: -- think they're a little larger than that.

CHAIR CASTRO: Okay. So, to me, it's going to end up to be affordable as the middle income Broward County people go. So I'm good with that. Mayor Stermer, back to you.

MAYOR STERMER: And just to --

CHAIR CASTRO: Oh.

MAYOR STERMER: -- Ms. Graham's point, we know there are times -- and staff doesn't normally come forward with denials. Generally when they do, it's based on the literal reading of the code --

MS. BOY: Correct.

MAYOR STERMER: -- understanding that's just the way it is, which is part of the reason we're doing the Broward Next is to bring the code forward to 2015. So with that, and understanding Mayor Ryan's position, I'd **move** PH-4 forward.

COMMISSIONER GANZ: Second.

CHAIR CASTRO: We have a motion. We have a second. You get it?

THE REPORTER: Yes, ma'am.

CHAIR CASTRO: Commissioner Long, then Mr. Grosso.

MR. GROSSO: Oh, I'm sorry. If we're going to be voting, I wanted to know if we could hear from staff in response to the points that have been made.

CHAIR CASTRO: Okay. One second. I'm going to do Commissioner Long, and then I'll come back to you. Sorry about that.

COMMISSIONER LONG: Just a question, I think maybe to actually Mayor Ryan. If this project was coming out of the ground right now, would you have your same feeling?

MAYOR RYAN: Well, if it was a vacant property, I would have the same feeling, that is that this is an area that is in need of additional housing. I feel stronger because it's in the ground, and it is subject to blight.

COMMISSIONER LONG: Uh-huh.

MAYOR RYAN: And, again, because it's -- I mean, shares a geographic border with a dedicated affordable housing project, the Pinnacle, which we would do more projects with them if we could get -- if they could get the applications approved. So it's a long way of answering. I feel stronger because it is a matter of blight.

COMMISSIONER LONG: Uh-huh.

MAYOR RYAN: I probably would feel the same way. Let me just say it a little differently. The idea that a developer would come in to repurpose a project right next to a dedicated affordable housing project speaks volumes as to the quality of the affordable housing project in the area. And rather than discouraging, even if it wasn't at affordable housing rates, rather than discouraging, aren't we meeting, ultimately, the mission, and that is to provide affordable housing within the communities that currently exist and which will be repurposed.

COMMISSIONER LONG: Because, as the Chair of the Broward County Housing Authority, I understand the work Pinnacle does and the quality programs, because we work very closely with them on a number of projects, and it does not look like your -- sort of your father's affordable housing. My only concern was the fact this -- it was a hotel, and it made it sound like, oh, we're just going from, you know, room to room, same thing, no net gain or anything. And, in reality, it's changing everything, because it is a transient -- it would be a hotel or transient type of business as compared to a permanent type of business, where you have guests coming. You have other things, and a parking lot is important. So I do get that.

I will, you know, push this forward because of Mayor Ryan and his feelings. And -- but I do think you've got to look at it. If it was coming out of the ground, I think this would be a totally different conversation. And I kind of almost look at it that way, but I do understand the bigger picture.

CHAIR CASTRO: Mr. Grosso.

MR. GROSSO: I just -- I would have -- like the benefit of hearing staff's responses to the points that have been made, if that's okay.

CHAIR CASTRO: Uh-huh.

MS. BOY: Thank you. As I mentioned when we were -- when I first gave the review, Planning Council staff has been working with the city staff. We're happy to continue to do that. You know, based on our review of the policies, as Mayor Stermer said, we're looking at the policy as it exists, and that was the basis for the denial. But we're pleased to continue to work with the city staff to try to resolve this.

CHAIR CASTRO: Okay. One more thing before I call the vote. I would also argue the fact that you are next to an affordable housing component. By adding a regular non-, you know, affordable or whatever you want to call it project, you are actually creating diversification, which is, I think, important. If you were to put another affordable housing -- more units of affordable housing next to already affordable housing, all's you're doing is concentrating the poor, again, which I think is not what most theorists want, as far as relativity of diversity. So I just want to point that out because of that.

MAYOR STERMER: And just to Mayor Ryan, and understanding your point about the 13,000 unit swing, based on which study we -- my word -- accept, and the Executive Director's desire to put that on our December agenda, I would suggest, then, that we keep the rest of the agenda really light, because it's going to be a really long conversation.

CHAIR CASTRO: Okay, then. Roll call, please.

THE REPORTER: Commissioner Blattner. Commissioner Angelo Castillo.

CHAIR CASTRO: I'm sorry, Ms. Cavender. I just want to make sure. Is the motion just moving it straight forward or --

MAYOR STERMER: Yes.

CHAIR CASTRO: -- or subject to the 1.07?

MAYOR STERMER: No. Forward.

CHAIR CASTRO: Forward.

MAYOR STERMER: As it is.

CHAIR CASTRO: As it is. And that was the second? Okay. I just want to make sure everybody knows what they're voting on. Thank you.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER CASTILLO: I'm sorry. I need clarification. Are we moving forward an item without a condition of compliance with the affordable housing?

CHAIR CASTRO: On second reading.

MAYOR STERMER: It's going to come back at second reading --

UNIDENTIFIED SPEAKER: Second reading.

MAYOR STERMER: -- and we'll have clarity then as to what to do with it.

CHAIR CASTRO: So you -- you are putting it that they continue (inaudible) that point.

MAYOR STERMER: Correct.

CHAIR CASTRO: Okay. I just want to make sure.

MAYOR STERMER: Right. I envision the project's going to move forward --

UNIDENTIFIED SPEAKER: As part of it.

MAYOR STERMER: -- with the conversation continuing and --

MS. GRAHAM: But we're voting against staff's recommendation.

CHAIR CASTRO: That's correct.

COMMISSIONER CASTILLO: So is the motion placed as so we can vote yes?

MAYOR STERMER: Yes.

COMMISSIONER CASTILLO: Yes.

MAYOR STERMER: Motion to approve the project.

COMMISSIONER CASTILLO: Motion to approve the project.

UNIDENTIFIED SPEAKER: (Inaudible.)

UNIDENTIFIED SPEAKER: Without (inaudible).

COMMISSIONER CASTILLO: Okay. I'm ready.

UNIDENTIFIED SPEAKER: The second reading.

COMMISSIONER CASTILLO: Yes.

CHAIR CASTRO: Thank you.

(Laughter.)

THE REPORTER: Excuse me. Richard -- Commissioner Richard Blattner.  
Commissioner Angelo Castillo.

COMMISSIONER CASTILLO: Yes.

THE REPORTER: Mr. Neal de Jesus.

MR. DE JESUS: Yes.

THE REPORTER: Mr. Thomas DiGiorgio.

MR. DIGIORGIO: Yes.

THE REPORTER: Mr. Michael Friedel.

MR. FRIEDEL: Yes.

THE REPORTER: Commissioner Bill Ganz.

COMMISSIONER GANZ: Yes.

THE REPORTER: Commissioner Michelle J. Gomez.

COMMISSIONER GOMEZ: Yes.

THE REPORTER: School Board Member Patricia Good.

MS. GOOD: Yes.

THE REPORTER: Ms. Mary D. Graham.

MS. GRAHAM: Yes.

THE REPORTER: Mr. Richard Grosso.

MR. GROSSO: Yes.

THE REPORTER: Vice Mayor Martin Kiar.

VICE MAYOR KIAR: Abstaining.

THE REPORTER: Commissioner Michael Long.

COMMISSIONER LONG: Yes.

THE REPORTER: Vice Mayor Rita Mack.

VICE MAYOR MACK: Yes.

THE REPORTER: Commissioner Shari L. McCartney.

COMMISSIONER MCCARTNEY: Yes.

THE REPORTER: Mr. Robert McColgan.

MR. MCCOLGAN: Yes.

THE REPORTER: Mr. Bernard Parness.

MR. PARNNESS: Yes.

THE REPORTER: Mayor Michael J. Ryan.

MAYOR RYAN: Yes.

THE REPORTER: Mayor Daniel J. Stermer.

MAYOR STERMER: Yes.

THE REPORTER: Ms. Anne Castro, Chair.

CHAIR CASTRO: Yes.

MR. LAYSTROM: We appreciate your time. Thank you very much.

CHAIR CASTRO: Thank you.

**VOTE PASSES UNANIMOUSLY WITH VICE MAYOR MARTIN KIAR ABSTAINING FROM VOTING.**

**AGENDA ITEM PH-7 - AMENDMENT PCT 15-1**

CHAIR CASTRO: Okay. We're now onto PH-7.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MS. BOY: Item PH-7 is the Downtown Regional Activity Center for the City of Fort Lauderdale. This is the second Public Hearing. The first Public Hearing was -- for the Planning Council was in January, and at that time your recommendation was approval for transmittal, subject to resolution of the transportation and the affordable housing issues. Subsequent to your Public Hearing, the County Commission transmitted the item to the state with the same conditions.

Planning Council  
10/22/2015  
LG/ NC/ AS



The state review agencies took a look at it. There's a set of two comments -- two comments from the Department of Transportation, as well as the Water Management District. That information's in your backup. And I would say for the Water Management District, we just received -- we just received notification from them that the additional information that was submitted by the city clears up all of their concerns. The Department of Transportation will have a chance to review this, since if it's adopted, it goes back to the state. I'm going to focus the presentation this morning really on the addition of the 5,000 units to the Downtown RAC and the staff's recommendation, and where we've kind of been since January until now, in late October.

So we spent a good nine or ten months closely -- working closely with the city staff as well as the County staff. The County staff provides us support for both the transportation analysis, as well as affordable housing comments. So the Planning Council staff final recommendation that you see in your backup materials today takes the transportation piece and the affordable housing piece and does a couple things. Regarding transportation, working -- like I said, working closely with the city and the County staff, we came to the conclusion that the information in the analysis provided by the city moves us forward to a place where we can accept this information.

There's two conditions tied to this, and that's really related to actual data and analysis that the city could collect if another iteration of the units comes in. So today we're talking about an additional 5,000 from the 8,100 permitted by the County plan. So this would allow 13,100 units permitted by the County plan. So the transportation conditions are tied to any future applications for a future iteration of units. And that's essentially that they will collect data regarding transportation patterns and how the multi-modal options are working in the downtown area, and that there's a further demonstration of, really, this urban infill area as defined by the Institute of Transportation Engineers and how the city's meeting that.

The second piece of the recommendation is related to affordable housing. And Planning Council staff's recommendation really comes forward, I believe, as a balance, a balance of the city's input on affordable housing, and a balance of the County staff's input regarding affordable housing. You know, as we had just a brief discussion about Policy 1.07.07, in the County plan, the city has set aside 15 percent of the 5,000 units -- that's 750 units -- as affordable housing. The concern at the time of transmittal was how can we be assured that 4,250 market rate dwelling units aren't going to be constructed, and the 750 pool is just going to be kind of left to the end. So it really came down to a question of the phasing. So what you'll find in staff's recommendation is that the request or condition, if you feel it's correct, is that at Building Permit 2,501, if the city is unable to demonstrate that at least 375, 15 percent of that first 2500, are affordable housing, then market rate construction would come to a halt for that time. And during that time, we would ask the city to come forward with a further implementation plan of how they plan on promoting affordable housing within the Downtown RAC, and that plan would have to be approved by the County. So it's kind of a stopgap measure that it's assurance that

affordable housing's going to be provided for. It's an assurance that it's going to be phased in.

The second piece of the kind of condition, but it's really more of an incentive, related to affordable housing is when we review any affordable housing report, whether it's the right one or the wrong one, what we see is that there's a gap at the very low and the low. So that's at the 50 median income and the below 80 percent of the median income. So kind of a carrot approach to this and to promote and incentivize those type of units being able to be constructed in the downtown area, we have proposed a bonus density for market rate. So if the city commits to one very low or low unit in the downtown area, they would be -- they could receive up to three more market rate units. And that's a 750, so there's a final amount. So they could go anywhere from zero bonus units to 750. So that's also laid out in your plan in the recommendation. So we would have 5,000 units, at least 15 percent affordable. At the halfway mark, if they're unable to demonstrate that at least 15 percent of that first half are affordable, stopgap measure for an implementation plan to be approved by the County. Once that's approved, they could continue with market rate. And then also the incentive approach with the bonus density component, so it could potentially bring the total number of units to 5,750. And Planning Council staff did do a facilities and service analysis to ensure that the facilities and services could accommodate that. So that would be the maximum, so you're looking at that range.

The third piece of the recommendation is related to the educational mitigation agreement, which the city had already committed to at the time of transmittal, but it's carried through as a condition as part of adoption to assure that that is updated to reflect the needs and the requirements of the School Board. So that, in a nut shell, is the recommendation. The city staff provided backup material that was sent to you yesterday that they agree with the Planning Council staff recommendation. They have a question about one word, and that is in the transportation part of the recommendation. The way the condition is worded, we have it as fully mitigates impacts to the transportation network, and the city has a preference that that state significantly mitigates the impacts to the transportation network.

So we've come a long way in the nine months since you've seen this item in January. I think it's a really positive thing, and I think the transportation and housing connection's very apparent in this proposal in the city's commitment to multi-modal as well as affordable housing. With that, the city staff did -- the city has agreed to the Planning Council staff recommendation. I have a few speakers signed in to speak. Beginning with the city staff, I'm not sure if Jenni Morejon is here. Jenni Morejon is here. She's going to -- she'd like to start off with comments, and I have, I think, four other speakers signed in.

MS. MOREJON: Thank you, Barbara. Good morning, Madam Chair, honorable members of the Planning Council. It's good to see you again, nine months later. I think Barbara gave a fabulous outline of all the work that's been done, as well as where we're

at today. We're very proud of the collaboration that's taken place, and very thankful, as well, of our partners at Planning Council, staff members, Broward County staff, Florida Department of Transportation, Metropolitan Planning Organization. This truly was a team effort to get to this point. And I think the comments have been really well stated.

Again, we're in complete agreement with the three conditions. The reason for the requested change from the word, fully mitigate, to significantly, as you heard earlier today on your agenda with the Broward Next presentation, looking at ways that we're really developing more multi-modal means of transportation, we believe strongly that over the next year or so, both with the County's update to the Comprehensive Plan as well as the city's in the process of updating our Comprehensive Plan, too, that we believe there will be new methodologies that will really allow us to get to a significant mitigation of trips, but perhaps not always being able to fully mitigate every single new trip that comes out of new development. So we thought that this -- the change of the word gives some flexibility in that, but still meets the intent of making sure that impacts from new development are mitigated. So, with that, I just wanted to add there was some additional correspondence provided by County staff in terms of affordable housing, four specific recommendations or conditions, as well.

At our City Commission meeting on Tuesday, our manager had an opportunity to brief our Commission, and the corresponding letter that was sent, there is one condition there that we're fine with, and that's really maintaining those lines of communication in terms of providing updates of the number of affordable housing units that come on board on a regular basis. Not just at the halfway point, but maintaining that dialog. But the other three items, we felt were overreaching but also really not in line with what the policy requires. So we're very confident to meet the conditions set forth by the Planning Council staff, and we think this is a very good progress step over the past really two and a half-plus years that we've been working on this project with everybody. So we're here to answer any questions as we keep going. And thank you very much for your time.

CHAIR CASTRO: Thank you. Next speaker?

MS. BOY: Next speaker, Jim Hetzel.

MR. HETZEL: For questions.

MS. BOY: He's just for questions. John Milledge.

MR. MILLEDGE: Thank you, Madam Chair. John Milledge, General Counsel for the Downtown Development Committee. We agree with the staff -- the staff report and staff recommendation to move this forward, particularly the affordable housing. I think we want to praise Barbara's compromise language that she came forward with. I think it's a good, balanced approach that, you know, we've got a balance here between policy and then how it's implemented. And I think, you know, the Broward Next, we see a process where there is a consideration of whether the cities -- the County should draw back a

little bit, and the cities should be able to move forward more on the details of land use policy. And I think this is a good balance between monitoring the 15 percent but not trying to micro manage it. So I think -- we think that's a reasonable way to make sure that's being implemented.

Second, big picture-wise, this is good land use planning policy to direct these units into the urban core where your facilities and services can be more efficiently provided. Again, this is in line with your Broward Next process. I mean, you know, land use in this county, you know, and development is going to go where land use is permitted. And there's plenty of permitted land use for many, many years. And so this is just allowing it to be directed there rather than spread out, sprawled out throughout the County, putting more pressure on your single family neighborhoods. So this is just kind of an allowance to allow it to go there and have more of a mixed used downtown and not have just a commuter downtown. Because if you don't do this, what will happen is the downtown just is going to continue to develop out as a commercial downtown, and we'll have the commuter downtown.

And we all face it when we come down here, fighting Broward Boulevard. And, in fact, if you put units in the downtown, three things are going to happen. They're either going to work here, they're either going to go opposite traffic, or they're going to be retired folks. And I know people living here and just moved here in all three categories. Are we going to have more congestion? Sure, we're going to have congestion. But one thing I want to point out to you is that -- and it's really not emphasized, and I want to emphasize it here. We've got a mitigation project which is unprecedented. There's been no Land Use Plan amendment that I've ever seen with a \$160,000,000 mass transit project associated with it. And these two things are going together. And, in fact, they're interlinked.

When we went to the Florida -- Federal Transit Administration to get approval for the Wave, they said to us, we need more units, because it has to work. You need more congestion. You need more people. So these things are going together. So we get frustrated because we try to do something transportation-wise to help folks. The federal government says get more units, and then we get (inaudible) because people say, you're putting more people into the downtown. So it's -- you know, it's kind of frustrating.

So I would hope that you guys would look at the big picture here, that we're adding mass transit capacity. Yes, we're going to have more people in the downtown. Yes, we need to work on Complete Streets. And I think this city is committed to that, that it's multi-modal, and especially in your urban core areas. That's what's going to be important here. So let's not get down into the weeds here as to trips. That's the old way of doing stuff, especially in the urban core, of looking at just roadway capacity. It's a big picture, and we're trying to do that and deal with it holistically. It's a puzzle here.

So with that, I think, you know, there are issues. We are going to commit to continue working on those. But big picture-wise, this is good for everybody, directing road -- transportation and starting with the Wave project, which will -- is a countywide effort, and

it's going to go to the port, the airport, and then beyond. So this is an important amendment. It's not like what you normally see with a development project that just stems from a particular development issue where we're just kind of looking at impacts. This is a big picture project, and we hope that you would see the big picture. That's what this board is really set up to deal with. And we hope that you'd support it and move it forward. Thank you.

CHAIR CASTRO: Thank you.

MS. BOY: Alan -- Alan Hooper, followed by Dev Motwani.

MR. HOOPER: Good morning, and thank you for allowing me to speak. I kind of want to echo a little bit of what John Milledge just said. First of all, your next Broward strategy plan, I've got to commend your staff and your board. I really think that it's brilliant. You're directing development where it needs to go. And I'm a developer in downtown Fort Lauderdale, and we also develop in Tallahassee, Florida. I've been in the trenches. I'm not a large developer, and I'm -- we're more mid-size. We started -- I started with a tool belt on my waist. And we've been working infill projects. So all the stuff you guys are talking about completely applies.

We're also in the restaurant business, my partners and I, in downtown Fort Lauderdale, so we also have -- we have workers that need housing. So everything you're talking about is hitting it right on the point. So that whole thing about directing growth into the infill and into the downtown areas, it revitalizes blight. And there are units in Fort Lauderdale that are outside the downtown. A lot of them. And if you just left it with none in the downtown, or very few, and you had a bunch around it, you would almost start to create -- the developers would go where the units are, so you might get some sprawl, which isn't good. And a lot of the cities have downtowns that are viable for this same approach.

So downtown Fort Lauderdale really does need those units. And I don't want to even go into the affordability, because it's been talked about so much today, but there's another bonus that comes from doing this kind of development within infill and within downtown areas. And it's green. So you -- this approach that you guys are taking is extremely green, and it's very much what the young folks today are wanting to touch more of. They want it organic. They want it green. Our future is in that direction. It consolidates water, consolidates sewage, and it reduces travel to work. So I hope you guys will support the staff recommendation, and I do commend you on your planning efforts. Thank you.

CHAIR CASTRO: Thank you.

MS. BOY: Dev Motwani followed by Chris Wren.

MR. MOTWANI: Good morning, Council. Thank you all for your time and for your

consideration this morning. I'm here in full support of the Planning Council's recommendation before you, along with the three conditions. I've watched this process from afar. And just a little background, I'm a real estate investor and developer here in Broward County. Family's been here for about 30 years. We currently have projects in four different cities throughout Broward County. So putting on my county hat, I really want to commend our Planning Council staff for looking at this, not only at the affordable housing, but looking holistically at traffic and density. I think they've done a fantastic job. And I also want to thank the City of Fort Lauderdale. As a local Fort Lauderdale developer, who has a project across the street in the urban core, and other projects on the beach, I wear many hats, and so I think about this holistically.

A former member of the South Florida Community Land Trust, as well as the Broward Housing Partnership, so I'm also in tune with some of the affordable housing concerns. But I want to commend both staffs for coming together, taking a very difficult issue and coming up with a compromise that I think absolutely addresses the issues as best they can. And I urge you to support it today. Thank you.

CHAIR CASTRO: Thank you.

MS. BOY: The final speaker is Chris Wren.

MR. WREN: Hello. Thank you for allowing me to speak. And I just sort of wanted to start with the partnerships. Nothing great in the world happens without great partnerships. And to see all the agencies working together and bringing this today, I applaud you all. I'm just going to be brief. John mentioned some of the things. I represent the Downtown Development Authority. I'm their Executive Director for the last 12 years. At which time, the city and the County and everyone created a master plan for the downtown. And a mobility plan. And it's sort of nice to see all that hard work and planning come to fruition to a centerpiece of Broward County that I think we're all proud of.

The transit thing that John mentioned, the Wave, I just went to a big partner meeting yesterday. That should be running in June of 2018. They are actively -- the state and the County is actively working on extensions to that that they estimate it should be operating by 2020. So to not overly kill the phrase of, you know, let's direct growth to where we're creating infrastructure to handle it, this is something that's I think a game changer, not only for downtown, but for all of Broward County.

Affordable housing, I want to mention that the DDA is actually taking that under our wing. We're working with several non-profit groups to actually bring those out of the ground, first-rate, quality affordable housing in our downtown. We think it's important. Diverse social strata is very important in our downtown. As a matter of fact, I know of three projects, over 400 units, this non-profit agency that works with -- it's been working -- actually, Broward County's on one of the pieces on Sistrunk and Andrews, has told me about a month ago they should be coming out of the ground in about a year. So we're serious about that. We believe that's an important requirement. We believe in the

phasing. That works well.

So I just sort of want to end with as we believe more and more people will be coming to Broward County to live, work, play, raise families, as you've heard, they're going to go somewhere. We think it's important they come to our downtown. We've been planning for it. And the DDA certainly supports you all to move this item forward. Thank you very much.

CHAIR CASTRO: Thank you. Anything else from staff? Bring it back (inaudible). Bring it back to the Council.

UNIDENTIFIED SPEAKER: Madam Chair?

CHAIR CASTRO: Wait. I have a motion?

MAYOR STERMER: Madam Chair, at this time I'd move Item Ph-7.

CHAIR CASTRO: I have a second?

MS. GOOD: Second.

CHAIR CASTRO: Great.

THE REPORTER: I didn't -- oh, Ms. Good.

CHAIR CASTRO: Okay. We'll start at this end. We're just going to go left to right, please. Mr. Grosso, do you want to speak?

MR. GROSSO: Oh, thank you, Madam Chair. I've long thought that this city needed a lot more residential downtown to support the transit. I think this planning effort is something we've needed to do for a long time. I think it's great. I have just two questions. Is the City of Fort Lauderdale and our staff in complete agreement, or is there a disagreement about the word, fully mitigate, versus, significantly mitigate?

MS. BOY: I would really leave that to the pleasure of the Council. I believe that the city's proposed change to significant would -- could accomplish the same -- the same idea.

MR. GROSSO: My question is what would that word mean. What does significantly mitigate? Fully, everyone knows what that means. When you're trying to implement or enforce the word, significantly, what does that mean then?

MS. MOREJON: Well, I think it's probably fair, since we requested it, to speak on that. Barbara --

MS. BOY: Oh, I was just going to say that. And Henry is here from the Complete Streets

staff that actually -- I think he'd like to speak also.

CHAIR CASTRO: And before --

MS. BOY: Go ahead.

CHAIR CASTRO: -- Fort Lauderdale jumps in, I'm just going to tell you, I had not a clue what fully mitigated means, to be honest with you. So I -- to me, you know, it's either/or and whatever. Fully, significantly, I don't even know how you measure either one.

UNIDENTIFIED SPEAKER: Yeah.

CHAIR CASTRO: So I don't think the word is that important as people are probably going to put on it. I think it's, you know, what's the Supreme Court porn thing? You know, when you see it, you know it.

UNIDENTIFIED SPEAKER: (Inaudible.)

CHAIR CASTRO: I think that's -- either word is going to accomplish that same goal. That would be me, but I'll let Fort Lauderdale speak.

MR. MAURODIS: We had a --

MS. BOY: We have a little -- we had a little shop talk.

CHAIR CASTRO: Okay.

MS. BOY: That's why we're distracted. So we're in agreement that we can just eliminate that word and just says mitigates the impacts.

CHAIR CASTRO: And Fort Lauderdale's okay with that? Okay. Perfect. Now we have no word to worry about. There you go.

UNIDENTIFIED SPEAKER: Thank you.

UNIDENTIFIED SPEAKERS: (Inaudible.)

CHAIR CASTRO: Anything else, Mr. Grosso?

MR. GROSSO: No, thank you.

CHAIR CASTRO: Okay. I was struggling with fully. Fully of anything, I don't know what that means.

UNIDENTIFIED SPEAKER: (Inaudible.)



CHAIR CASTRO: Is it complete? I don't know. Is it complete?

UNIDENTIFIED SPEAKER: (Inaudible.)

CHAIR CASTRO: Okay. Anybody -- I'm coming left to right. Go ahead, just -- Mr. DiGiorgio.

UNIDENTIFIED SPEAKER: Oh, go ahead. I'm sorry.

MR. DIGIORGIO: Thank you, Madam Chair. I got caught up on just reading the minutes, because I was not here for our January meeting, so I got caught up with all the discussion you had. And it was very interesting. But I'll tell you, I am really pleased to see the different agencies working together and working with the partnership that you all have come to. And to come down to what could have been an issue with one word is a great change. And I'm in full support of the project and what's happening there in downtown. And I like the ideas about green -- I think someone talked about the green aspect of this, which, again, is self-evident. So I think it's great, and I just applaud the different agencies working together through this process.

CHAIR CASTRO: Thank you. Mr. Friedel.

MR. FRIEDEL: Yes, I was going to say, as an English teacher, I can tell you fully mitigate is not grammatically correct.

(Laughter.)

MR. FRIEDEL: It doesn't need a modifier. I am -- thank you very much for putting together a potentially more vibrant downtown. And I'm in support of this project.

CHAIR CASTRO: Mr. Parness.

MR. PARNES: I support the project, but there is something that bothers me. You talk about public transportation and people coming in, and they're going to be older people or -- you have no guarantee of that. Are you going to only sell or rent to people without cars? No. Which means there will be a lot more traffic. And that congestion bothers me. I look how long it took me to get here this morning down Broward Boulevard. What plans do you make to help with that traffic? Because if you open a Walgreen's, there's more traffic on the street. This is an enormous project. There's going to be a tremendous amount of cars involved. Where are they going to go? Where are they going to park? And how is it going to affect traffic?

MS. BOY: So I mean, I'm going to start, and then I'm going to ask the city to kind of follow up with my comments. So the initial Planning Council, the initial analysis that was done with this was a single occupancy vehicle. And that's what we took the initial look

at, and how many links were impacted on the regional transportation network. And I think everyone in the room's in agreement that this could generate, and probably will generate, many trips. The approach that's being taken by Fort Lauderdale, and I think is the direction also that the County's moving in, is a couple pieces, multi-modal transportation improvements providing for bicycle, pedestrian, and transit opportunities, and heavy transit opportunities in the downtown area. And, as Mr. Milledge pointed out, you know, people are going to -- they're going to work here. They're going to come here for work. They're going to live here and work. They could be retirees. They could be younger people. It's a diverse population that we're talking about serving. And all of the multi-modal opportunities that the city and the County are providing together, that's what's going to help with traffic. And one of these isn't going to work without the other. Transportation improvements aren't going to work without the residential.

So it's kind of, you know, what comes first, the chicken or the egg. They both have to kind of come together. And that's the plan that's been -- that -- the ideas that have been reviewed that the city has submitted. So I feel confident that these are the two pieces that we need to make a vibrant downtown area. And I don't think that I'm living under a rock and think that none of this is going to hurt, because I know it might hurt for a little while, but I think it's only going to get better and improve the situation for the residents of the city and the County. And I don't know if the city staff has anything that they want to add about transportation.

MS. MOREJON: No. I think you covered it absolutely well, Barbara. I would just also say that, unlike one project coming in at one time, you know, this is a series of units that are being added to this large area, so it will be phased out significantly as the market demands come in. And I also just wanted to add, over the next five years, the city, as just one entity, has \$32,000,000 worth of capital investments programmed for mobility projects and infrastructure improvements. When you combine that with our partners, it's a total of \$400,000,000 programmed over the next five years to address these impacts.

CHAIR CASTRO: Commissioner Castillo?

COMMISSIONER CASTILLO: I had concerns about this, but I am now fully and substantially satisfied that --

MAYOR STERMER: What do you mean by substantially?

UNIDENTIFIED SPEAKER: Yeah.

CHAIR CASTRO: What do you mean by satisfied?

(Laughter.)

COMMISSIONER CASTILLO: You threw me -- you threw me -- I'm still trying to think about the chicken and the egg and you threw me off. I think it was the comet came first

with the frozen chicken, but we'll get into that some other time. I'm very happy to see that -- that we've come to a place where I think this is now ripe to send it up to the County Commission. And it restores my faith that Fort Lauderdale will always have at least one more person than Pembroke Pines. So thank you very much. We are rooting for your success, and I'm going to vote yes.

CHAIR CASTRO: Ms. Graham?

MS. GRAHAM: Thank you, Madam Chair. I'm going to vote yes. I think this will be a good test tube for other municipalities and elsewhere that -- in the state or out of the state, to see if something like this can work. I don't necessarily agree with the reevaluation of parking -- of trip counts and all of that that one of the city staff members or one of the attorneys may have made, that you no longer want to base the evaluation of approval on a project because the traffic studies don't work. But contrast this with Public Hearing 5, where that parking that -- it had to be added to that hotel project to make it viable and feasible, at least in Sunrise, to rent those one and two bedroom units. I mean, that's something to think about.

I think you can't just look at it in terms of an urban area, because if people have cars, and some people, if they're married, a couple, they may have two cars. Where are you going to put these vehicles? But that's okay. I'm going to vote for it. I just want to have a couple comments on the record. And, in all fairness, I watched the City Commission meeting Tuesday night from home on Comcast, and this was left to the very end of the agenda coming up for today. And this is where they discussed the changing of the wording to significantly from fully. But in reality, it needs to be successfully mitigated.

I mean, that's what it all comes down to, because building these units and not being able to rent them -- and I presume they're going to be rentals. I don't know if they're going to be condos. But the reason why I bring that up is, earlier in the City Commission meeting, someone was talking about the noise downtown after hours or on weekends from people having outdoor events at the restaurants and bars. And one of the brokers said that he had a contract on a condominium that someone wanted to buy, and she just happened to be downtown one night, late, and when she realized how things were after hours, she backed out of her contract to buy the condo. So as long as they're all apartments, I think they'll do great, because if people don't like it, they break a lease, so they'll move, or they'll wait until the end of the lease. But I think the parking and the transportation is going to be an issue. But I wish you the best.

CHAIR CASTRO: Vice Mayor? No?

VICE MAYOR KIAR: I'm okay.

CHAIR CASTRO: Commissioner Long?

COMMISSIONER LONG: A couple things. It's pretty much centered around the

Planning Council  
10/22/2015  
LG/ NC/ AS

affordable housing piece. I think that the project's large. I think we have, you know, transportation, that's still going to be out there. Education's still going to be out there. And those are concerns that hopefully will get worked out as well. The affordable housing piece concerns me. I see, you know, Alan Hooper comes here and you have so many people working at your restaurants, and we're a hospitality driven economy in many respects. That 120 percent in affordable housing, your staff, most of them would not be able to afford that.

You're really looking at moderate to low housing. And I don't see that as really even with the density -- with -- or excuse me -- with the plan of the 50 to 80. And, you know, you get to low, you have a bonus there. It doesn't necessarily mean you're going to take that, because you're already looking at your 5,000. Another 750 that requires you then to go down to the lower levels is a concern to me. I would have liked to see that as an automatic. I know Fort Lauderdale does not like it, but as I'm reading it, Fort Lauderdale's kind of rejecting that unless it's part of a plan which they get the additional 750; is that correct?

MS. BOY: I believe that -- I believe that the part that you're --

COMMISSIONER LONG: The bonus.

MS. BOY: -- about was from the supplemental comments that were provided --

COMMISSIONER LONG: Uh-huh.

MS. BOY: -- by the County agency.

COMMISSIONER LONG: Yeah, Henry's and --

MS. BOY: Yeah, Henry and --

COMMISSIONER LONG: -- and their response.

MS. BOY: -- and Ralph's comments.

COMMISSIONER LONG: Uh-huh.

MS. BOY: Planning Council staff, the way that it -- the Administrative Rules document is set, when a 15 percent set aside is committed to, it's -- there isn't a definition except for affordable housing.

COMMISSIONER LONG: Uh-huh.

MS. BOY: And, as you're all aware, the affordable housing definitions in the County plan, which match the state definitions, are moderate up to 120 percent, low up to 80

percent, and very low up to 50 percent of the median incomes. So it's my interpretation, and I briefly spoke with Andy about it, that affordable housing is up to 120 percent of the median income.

COMMISSIONER LONG: Uh-huh. And when we speak of, you know, the reality of working in hourly jobs in downtown Fort Lauderdale, be it at the hotels and restaurants, these people are not going to be living here. Even though it would be nice to think they could and they could ride their bike or take the car, Uber, or a bus or anything else, they're not going to afford to live in these areas at 120 percent. So I just wanted to make that statement. You know, and I know Fort Lauderdale's saying, hey, it's Administrative Rules, we don't have to follow them if we don't agree, except for Number 3 on their comment sheet --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LONG: -- correct?

MS. BOY: Right. I believe that their response is just based on some of those items are outside of the requirements of --

COMMISSIONER LONG: Uh-huh.

MS. BOY: -- the Land Use Plan and the Administrative Rules document.

COMMISSIONER LONG: Thank you.

CHAIR CASTRO: Mayor Stermer?

MAYOR STERMER: I'd like to commend the City of Fort Lauderdale and our staff, as compared to just saying, go down the form, check the box, that people actually engaged in planning in a way which is where we're going through this whole concept. And it really is -- there's been an evolution, which I think is a good thing. And it dovetails to where we are trying to get this County to go.

To Mr. Grosso's point earlier, we sit here today because of urban sprawl. And the question is what are we going to be when we are 120 years old, compared to the hundred years to -- where we are today. And I think there's good planning going on, based upon where we are not only today, but looking forward to the future. And I think to Commissioner Long's point, which is why I said to the Executive Director, I think the December meeting will be long when we bring back policy 1.07.07, because that policy doesn't define within it which level of affordable housing you're putting in. It speaks to affordable housing. And we know it's a delicate issue. We know it's a sensitive issue. But we also know, based upon different studies, you get radically different results.

COMMISSIONER LONG: Uh-huh.

Planning Council  
10/22/2015  
LG/ NC/ AS

MAYOR STERMER: So to have us micro manage what level of affordable housing, when it meets the definition of affordable housing, is that beyond what we as a Council do? Because the question then is it a 5,000 unit project? It's really the concept for all of downtown. This isn't a specific project. Is it a project issue? Is it a city issue? Is it a County issue? Is it a regional issue? It goes back to the whole concept of really what -- where is the solution, and do you oppose it on a project or across the region? And then which method do you use to figure it out? But I'm glad that we don't start segregating within a project which level it has to be, because it's tough enough to get projects to do it, because we know, under the Chinese menu today of 1.07.07, the default says a dollar a foot, which is an acceptable method to deal with it. And we know there are County Commissioners that don't like that. But it's one of the negotiated settlements of how we got to where we are today to work with developers.

So the question is, where do we plan to be in the future, which is why I just think the next conversation's going to be long. But I want to applaud the city for agreeing to something that says, once we're halfway through the project, we're going to demonstrate it, and, if not, we understand we may have to come to a screeching halt. Commissioner Castillo, that's tremendously different than where we were in January when there were lots of questions and there were lots of we're not sures.

COMMISSIONER CASTILLO: It's substantially different.

MAYOR STERMER: Yes. I just want to --

(Laughter.)

MAYOR STERMER: -- I just want to compliment everybody on how -- on getting us to where we are today.

CHAIR CASTRO: It's fully different.

MAYOR STERMER: Yeah.

CHAIR CASTRO: School Board Member Good?

MS. GOOD: No.

CHAIR CASTRO: Mr. de Jesus?

MR. DE JESUS: Thank you, Madam Chair. My comments will be brief. I also would like to thank the City of Fort Lauderdale staff and the County staff for working on this. I think we've come from one side of the pendulum all the way over to the other, and I'm sure it's taken some work and some effort, and probably a great source of frustration, as well. But I fully intend to support this.

What I'd like to say to my colleagues is the City of Fort Lauderdale places a great emphasis on multi-modal transportation and trip impacts for proposed developments. I know that simply because for the last year and a half I've been working with a client on a proposed development project, and just about every meeting, those issues come up. So I am confident that the city means what they say when they talk about addressing these issues, and that they will, in fact, do so. So I fully intend to support the project, and I think you all for your efforts.

CHAIR CASTRO: Mayor Ryan? Good? Vice Mayor Mack?

COMMISSIONER MACK: I'm good.

CHAIR CASTRO: Commissioner Gomez?

COMMISSIONER GOMEZ: I mimic or ditto some of the sentiments that have already been placed. So I commend staff on both sides and everybody for working hard to negotiate this -- the start of this project. It's not easy. This is going to be -- this is a pivotal one. This is the -- where the growing pains are going to come from, and these are where cities around are also going to be looking to jump off. Particularly, I know my city is working on a mixed use on a small level, comparatively, much comparatively to this. But as a city who originally has a slogan of live, work, and play, that's what we're trying to do. We're trying to keep our youth here instead of jumping back to New York where it's all the transportation and easy access, where you actually live, work, and play.

We're trying to still keep our ability to have a suburban area. We're trying to keep where we keep businesses in business here and show the growth and be able to accommodate the 250,000 a year, and the numbers are going to grow. So I think it's wonderful. I think it's going to take a lot of effort. And if everybody keeps working forward to the common goal, it's going to be a massive, wonderful project. We will deal with transportation. We'll learn from all of it. We'll -- it'll just be great. And I thank you for your effort to be willing to be put this forward. Thanks.

CHAIR CASTRO: Commissioner McCartney?

COMMISSIONER MCCARTNEY: Thank you, Madam Chair. I support the item. I'm excited to see it come to fruition. It'll be some time. It's been some time in the works. The trouble with transportation is going to be glaring, but I see that it's addressed. And I think we'll -- we really don't have any choice but to move forward and see how this develops. It's not just in this region, because the transportation problems aren't going to be located to the development. You know, it spreads far and wide, which is why these other things we're working on, Broward Next and all those are so very important. But we can't stop and worry about what might happen. We have to keep moving with this. And so that's why I support it. I think it's one of those instances where truly if they build it,

they will come, and that includes the transportation aspect. But I encourage the focus on transportation solutions along with these developments.

CHAIR CASTRO: Commissioner Ganz?

COMMISSIONER GANZ: I'm normally not optimistic about these types of projects, whether it be an RAC or a TOD, because they usually are more density grabs, in my opinion, as opposed to true commitments to alternative modes of transportation. You know, a Regional Activity Center can become a really aggravating cluster if it's not -- the commitment isn't there for transportation.

In my city, alone, we have a -- we have a TOD designation that is undeveloped, and all the projects I've seen forward are not transit oriented. They're transit adjacent, and that's it. And it's mostly being done just for a -- for the increased density. I don't see that here. What I do see is a true commitment, and I applaud staff, both on the city level and with our staff on this. So I appreciate that commitment, so I do support it.

CHAIR CASTRO: Mr. McColgan.

MR. MCCOLGAN: I have probably spent more time reviewing this project than anybody on this Council. I am very much for the project. I, too, would like to see more or continued monitoring to make sure that they are complying with the affordable housing on more of a timely basis. I see the Planning Director, in Item 3, said the annual monitoring report evaluates the location affordability of the designated units. I'd like to see possibly a shorter time frame to have more compliance, and call it that, and monitoring. Not that we don't trust the city, but --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. MCCOLGAN: -- not very good words, but a closer tie-in to compliance. I'm greatly for the project. It's great.

CHAIR CASTRO: I want to commend the City of Fort Lauderdale and the planning staff for coming together. And I know it was probably a tough discussion, negotiation, just because of the territorial rights that everybody asserts. Having been a former Mayor/Commissioner, I get it. But I also think it's going to lend itself to a better product. In the end, I don't have to tell you all, the market will dictate. You know, if you build them and you don't give people enough places to park their cars, then people won't rent the units. So, you know, you have to sort of accommodate things as you go along.

Now, to those of us that just travel into the city, who don't live here, per se, to come and do business, is it going to cause us some agita? Sure it is. But then again, businesses, if they get frustrated enough that their clients can't come to them, will move. So the market, again, will eventually balance it all out. The affordable housing component obviously is something that's a little bit different. And, again, we talked about whether it's



concentrated, not concentrated, how that all shakes out. With that, I, again, applaud you all. I think it was a good outcome for a process. I'm sorry it did take ten months or nine months. Maybe you need to meet more frequently or something. I don't know.

(Laughter.)

CHAIR CASTRO: Just kidding. And, with that, we have a motion, I believe, and a second to move it as staff recommended. And if you'd please call the roll, Ms. Cavender.

UNIDENTIFIED SPEAKER: (Inaudible.)

CHAIR CASTRO: Oh, sorry.

MS. BOY: We're going to -- I believe that the Council's recommendation is to eliminate the word, fully.

CHAIR CASTRO: Yes.

MS. BOY: So we'll strike that moving forward. And the second piece is --

CHAIR CASTRO: And there's no significant going in in its place.

MS. BOY: There's no significant or --

CHAIR CASTRO: (Inaudible.)

MS. BOY: -- there's no substantial.

CHAIR CASTRO: Right.

MS. BOY: It's just going to say mitigates. And then the second piece is I failed as part of this recommendation to place -- but it's in your final agenda -- that if the County Commission approves this, that this Public Hearing serves as the recertification of their plan.

CHAIR CASTRO: Correct.

MAYOR STERMER: The motion included that.

CHAIR CASTRO: Yes.

UNIDENTIFIED SPEAKER: Good job.

CHAIR CASTRO: Then the motion was all in that, so that's why I was going with that. Thank you. Ms. Cavender, you're up.

THE REPORTER: Commissioner Richard Blattner. Commissioner Angelo Castillo.

COMMISSIONER CASTILLO: Yes.

THE REPORTER: Mr. Neal de Jesus.

MR. DE JESUS: Yes.

THE REPORTER: Mr. Thomas DiGiorgio.

MR. DIGIORGIO: Yes.

THE REPORTER: Mr. Michael Friedel.

MR. FRIEDEL: Yes.

THE REPORTER: Commissioner Bill Ganz.

COMMISSIONER GANZ: Yes.

THE REPORTER: Commissioner Michelle J. Gomez.

COMMISSIONER GOMEZ: Yes.

THE REPORTER: School Board Member Patricia Good.

MS. GOOD: Yes.

THE REPORTER: Ms. Mary D. Graham.

MS. GRAHAM: Yes.

THE REPORTER: Mr. Richard Grosso.

MR. GROSSO: Yes.

THE REPORTER: Vice Mayor Martin Kiar. Commissioner Michael S. Long.

COMMISSIONER LONG: Yes.

THE REPORTER: Vice Mayor Rita Mack.

VICE MAYOR MACK: Yes.

THE REPORTER: Commissioner Shari L. McCartney.

COMMISSIONER MCCARTNEY: Yes.

THE REPORTER: Mr. Robert McColgan.

MR. MCCOLGAN: Yes.

THE REPORTER: Mr. Bernard Parness.

MR. PARNESS: Yes.

THE REPORTER: Mayor Michael J. Ryan.

MAYOR RYAN: Yes.

THE REPORTER: Mayor Daniel J. Stermer.

MAYOR STERMER: Yes.

THE REPORTER: Ms. Anne Castro, Chair.

CHAIR CASTRO: Yes. And let the record reflect --

VICE MAYOR KIAR: I'm a yes vote.

CHAIR CASTRO: -- I was going to say Vice Mayor Kiar just stepped in. He's a yes vote. Carries unanimously.

**VOTE PASSES UNANIMOUSLY.**

### **OTHER BUSINESS**

CHAIR CASTRO: Any other business? Any other items before we adjourn?

MAYOR STERMER: Move to adjourn.

UNIDENTIFIED SPEAKER: Happy Halloween.

CHAIR CASTRO: Thank you. Everyone, safe holidays for Halloween.

UNIDENTIFIED SPEAKER: (Inaudible.)

CHAIR CASTRO: Thank you. I'm sorry.

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. BOY: Don't forget about the United Way fundraiser.

CHAIR CASTRO: United Way. Thank you all very much. Thank you.

MS. BOY: Thank you.

CHAIR CASTRO: Thank you.

(The meeting concluded at 10:34 a.m.)