

MINUTES

BROWARD COUNTY PLANNING COUNCIL

June 26, 2014

MEMBERS PRESENT: Anne Castro, Chair
Commissioner Bobby DuBose, Vice Chair
Mayor Lisa K. Aronson
Commissioner Richard Blattner
Mayor Vincent Boccard
Beam Furr
School Board Member Patricia Good
Mary D. Graham
Dan Hobby
Lynn Kaplan
Commissioner Martin D. Kiar
Commissioner Michele Lazarow
Commissioner Rita Mack

MEMBERS ABSENT: Neal de Jesus
Commissioner Michael S. Long
Mayor Michael J. Ryan
Nicholas T. Steffens
Mayor Daniel J. Stermer

ALSO PRESENT: Barbara Blake Boy, Planning Council Executive Director
Andy Maurodis, Legal Counsel
Gregory Stuart, Executive Director, Broward Metropolitan Planning Organization (MPO)
Karen Caputo, City of Hollywood resident
Cliff Germano, City of Hollywood resident
Debbie Orshefsky, Representing the applicant PCT 14-2
Leigh Kerr, Planning Consultant PCT 14-3
Nancy Cavender, The Laws Group

A meeting of the Broward County Planning Council, Broward County, Florida, was held in Room 422 of the Government Center, Fort Lauderdale, Florida, at 10:00 a.m., Thursday, June 26, 2014.

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

CALL TO ORDER:

Chair Anne Castro called the meeting to order.

CHAIR CASTRO: I'm going to go ahead and call this Broward County Planning Council regular meeting for June the 26th, 2014 to order.

PLEDGE OF ALLEGIANCE:

Before we all stand and recite the pledge, since 4th of July's coming up, just want to remind everybody as you're reciting it, please remember those in our armed services, the men and women who fight and protect, as well as their families who support them while they're on their missions, as well as our first responders here locally, and all the other people that are on the front line of life and government, from teachers to municipal employees to government employees. You know, it's part of what makes this country so strong and wonderful, so let's all stand up and recite the Pledge of Allegiance. Thank you.

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

ROLL CALL:

CHAIR CASTRO: Nancy, if you'd call the roll, please.

THE REPORTER: Yes, ma'am. Mayor Lisa Aronson.

MAYOR ARONSON: Here.

THE REPORTER: Commissioner Richard Blattner.

COMMISSIONER BLATTNER: Here.

THE REPORTER: Mayor –

COMMISSIONER BLATTNER: Pardon me.

UNIDENTIFIED SPEAKER: Your voice is changing.

CHAIR CASTRO: You okay over there?

COMMISSIONER BLATTNER: Yes.

THE REPORTER: -- Mayor Vincent Boccard.

MAYOR BOCCARD: Present.

THE REPORTER: Mr. Neal de Jesus. Commissioner Bobby DuBose. Mr. Beam Furr.

MR. FURR: Here.

THE REPORTER: School Board Member Patricia Good.

MS. GOOD: Here.

THE REPORTER: Ms. Mary Graham.

MS. GRAHAM: Here.

THE REPORTER: Mr. Dan Hobby.

MR. HOBBY: Here.

THE REPORTER: Ms. Lynn Kaplan.

MS. KAPLAN: Here.

THE REPORTER: Commissioner Martin Kiar.

COMMISSIONER KIAR: Here.

THE REPORTER: Commissioner Michele Lazarow.

COMMISSIONER LAZAROW: Here.

THE REPORTER: Commissioner Michael Long. Commissioner Rita Mack.

COMMISSIONER MACK: Here.

THE REPORTER: Mayor Michael Ryan. Mr. Nicholas Steffens. Mayor Daniel Stermer. Ms. Anne Castro, Chair.

CHAIR CASTRO: Here. Thank you.

CONSENT AGENDA

AGENDA ITEM C-4 - EXCUSED ABSENCES:

CHAIR CASTRO: We have at least five people who have requested excused absences for family illnesses, funerals, personal illnesses. We have Mayor Daniel Stermer, Mr. Nicholas Steffens, Mayor Michael Ryan, Commissioner Michael Long, and Mr. Neal de Jesus. If I can entertain a motion –

COMMISSIONER LAZAROW: I'll move –

CHAIR CASTRO: -- to excuse those.

MAYOR BOCCARD: Second.

CHAIR CASTRO: We have a first and a second.

THE COURT REPORTER: Yes, ma'am.

CHAIR CASTRO: All in favor, say aye. Any opposed? Thank you.

VOTE PASSES UNANIMOUSLY.

CHAIR CASTRO: Some quick housekeeping chores. Remember the bagel/coffee fund. We fund that ourselves, so if you haven't put any dollars in recently, please throw a few bucks that way so we can continue to have bagels and coffee. Also, has everybody turned in their Form 1?

UNIDENTIFIED SPEAKER: Yes.

CHAIR CASTRO: Do not forget your Form 1. It's due –

UNIDENTIFIED SPEAKER: Form 6.

CHAIR CASTRO: -- in three days or four -- whatever form your Form 1 is. For me, Form 1s are like a bad omen. I've been doing this for eight years, and every year, if there was a black hole, my form finds it, whether I turn it in or somebody else turns it in.

So I hand-delivered mine today, so that's what made me think to remind all of you to make sure your Form 6, 1, whatever form you have, is turned in. If you're not sure what the Form 1 is, that's the Financial Affidavit that you fill out every year or its equivalent.

As an elected official, you should be doing them. But you can see Ms. Boy after the meeting and she'll help give you guidance, because, as part of the Planning Council, you're also required to do a Form 1 or 6 or whatever.

COMMISSIONER KIAR: Madam Chair –

CHAIR CASTRO: Yes, sir.

COMMISSIONER KIAR: -- may I ask a quick question of Mr. Maurodis?

CHAIR CASTRO: Sure.

COMMISSIONER KIAR: I just have a fast question. I just wanted to confirm this with yourself, as well. A few of us up here have to file a Form 6, and I, for example, sent mine to the Commission on Ethics today, and I brought the Form 6 down to the Division -- actually, the Supervisor of Elections. If we file a Form 6, we then don't have to file a Form 1.

MR. MAURODIS: I would think -- I would just --

CHAIR CASTRO: Yes.

MR. MAURODIS: -- make a note, because I form -- file Form 1 for -- and I represent several entities. I just make a note. You know, I would just put a note, member of the Broward County Planning Council. But your Form 6 is going to cover everything plus.

COMMISSIONER KIAR: Definitely. I appreciate it. Thank you.

MS. GOOD: Madam Chair?

CHAIR CASTRO: I'd be more aggressive in my note. I'd put also covers for Form 1. So just tell them that. Let them tell you it doesn't.

MAURODIS: Yeah, but I would make a note on it.

CHAIR CASTRO: Yeah.

COMMISSIONER KIAR: Oh. Thank you.

MS. GOOD: Well, just to confirm, last year we asked the question, if you do do a -- file a Form 6 to the State, you don't have to do it locally. And that was also confirmed.

MR. MAURODIS: Right.

MS. GOOD: And --

MR. MAURODIS: But I just would -- I'd just note -- notate -- notate it --

MS. GOOD: Okay.

MR. MAURODIS: -- on there.

MS. GOOD: Just wanted to make sure, because that's what we --

MR. MAURODIS: No, you don't have to --

MS. GOOD: -- received from counsel.

MR. MAURODIS: -- file both.

MS. GOOD: Okay. Thank you.

CHAIR CASTRO: Okay? Any other questions? Good.

AGENDA ITEM C-1 - APPROVAL OF FINAL AGENDA FOR JUNE 26, 2014
AGENDA ITEM C-2 - JUNE 2014 PLAT REVIEWS FOR TRAFFICWAYS PLAN
COMPLIANCE
AGENDA ITEM C-3 - APPROVAL OF MINUTES OF MAY 22, 2014

CHAIR CASTRO: Okay. We're going to move on to Consent Agenda. Can we have a motion to approve –

COMMISSIONER LAZAROW: Motion to approve.

CHAIR CASTRO: -- C-1, C-2 –

COMMISSIONER DUBOSE: Second.

CHAIR CASTRO: -- C-3? I have a motion, I think, from Commissioner Lazarow, a second by Commissioner DuBose. All in favor? Any opposed?
Seeing none.

VOTE PASSES UNANIMOUSLY.

REGULAR AGENDA

AGENDA ITEM R-1 - PRESENTATION: BROWARD METROPOLITAN PLANNING
ORGANIZATION (MPO) - YEAR 2040 LONG RANGE TRANSPORTATION PLAN -
GREGORY STUART - EXECUTIVE DIRECTOR, BMPO

CHAIR CASTRO: Okay. We're going to move on to R-1. MPO, Mr. Stuart, you're up.

MR. STUART: Good morning.

CHAIR CASTRO: Morning.

MR. STUART: I was asked by our Chairperson, Dick Blattner, to be brief and short, so we're going to try to do this as fast as possible --.

CHAIR CASTRO: Good for you.

MR. STUART: -- in a way to get through your agenda and I think the folks in the back will appreciate that, as well. I'm here to talk a little bit about the 2040 transportation plan.

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And, traditionally, in Florida we've been calling these long range transportation plans, but I found out from my friends around the rest of the country that these are not called long range plans anywhere else, so we have actually started reformatting the term so it actually does say transportation plan.

While it looks long range, because we're dealing with well, it looks long range, because we actually have to talk about 25 years out into the future. We also have to look at the short term. We have our current long range plan or our transportation plan, which is dealing with the first five years that we're already in.

So we're already programmed between now and 2019 as far as the capital funds that are going to be used from the State of Florida and the federal government on transportation programs here in Broward. And we're currently this next plan, we'll deal with fiscal year '20 through the 2040 time period.

Financial commitments are a very important thing. That is actually what the feds are looking to us to make sure that we have. Anytime \$1, or less, of federal dollars go into any particular project, we must basically account for it, say where the money's coming from, and how it's going to be spent.

Now, within the long range transportation plan, we also have several other things that we focus in on.

We have federal law that I was talking about earlier, and that was a circular that we have to deal with. We focus on three very specific things: moving people, creating jobs, and strengthening communities.

And that's kind of an odd thing to say, because most people that are familiar with past long range transportation plans, it was here's your transportation network. But our Board of Directors, led by Chairman Blattner, has basically said, let's focus in on some of the other areas where the federal circulars say we're supposed to look at, which is including the whole economic development side of things, along with how the infrastructure affects your communities. Instead of six lane and eight lane facilities that we're used to, let's actually look at programs like Complete Streets, that I believe you all are familiar with.

We have an investment strategy that started the last five years on actually moving forward with different modes.

Other than just investing into the street and roadway network, we're actually investing into transit improvements. We're investing into seaport improvements. We're investing into airport improvements. We have invested in two other areas, as well, including greenways. But the big chunk, when we start talking about moving people, is about maintaining our infrastructure. And yesterday, I had a great chance to present to the Fort Lauderdale/Oakland Park/Wilton Manors Chamber of Commerce at a round table

seating ten. And I said if you look at your table of ten, and you take two chairs off, that's basically what we have left, those two chairs, on how much we can afford to spend for new projects.

The balance is actually spending on maintaining our infrastructure, maintaining that level of service, continuing to improve the accessibility to the existing infrastructure that we have. But there's some other things that we're also looking at, which is how do we shorten project delivery.

And that's actually very important, not only to the federal government, because this is how much we can get done very quickly versus how many years can we study something and then actually never accomplish anything.

And then also very important to them as well at the federal level is maximizing our transit ridership, because the federal investment into that transit ridership is a big lift.

So then when we look at creating jobs in our community, it's how do you do that. Well, you attract businesses to our communities by allowing people to get to jobs faster, quicker, more convenient. You actually have to promote new development, as the Wave is doing in downtown Fort Lauderdale, as we see is happening out in Sunrise with the Metropica development, as today you'll be approving a whole bunch of land use amendments, hopefully.

We maximize the overall travel costs -- minimize the overall travel costs. So, again, it's how do you get to places faster, cheaper, and more expedient. So that way, companies do look to not only stay here in South Florida, expand here in South Florida, and actually relocate here to South Florida. Maximizing the private investment is also something that is a different spin. If you look at 595, that was a project that basically if we had waited and gone through the traditional process, it would have not been under construction for another 15 years.

That was advanced by private money that we were able to leverage and move that project forward. While it has a managed lane component on the -- in the center, which actually moves people faster, the reality is that road is ahead of schedule. So the new development that's happening along that corridor, as much as you need to improve -- approve will basically be able to handle that amount of construction and new development up until at least 2040.

When we talk about strengthening communities, we look at the infrastructure and the transportation benefits. How much does it cost? Going back to the whole idea of how do we encourage economic development. We've actually looked to reduce accidents. And it's not just vehicular accidents. It's pedestrian accidents and bicycle accidents. These are things that we're moving forward with Complete Streets efforts.

Trying to ensure projects include appropriate esthetic considerations. Now, I don't know about you, but our roadway network looks the same as anywhere else in the country.

And if you stand on almost any corner, you find a Walgreen's or a CVS. And there's nothing wrong with that, but you might as well be anywhere else that's brand new development or within the last 20 years.

We've done nothing to create a sense of location and place. And I know, as municipal representatives, that's something that's very important to each of you, defining the definition of what your communities look like, who you are, and what you represent. And so we need to take that into account when we're actually putting in transportation infrastructure equally as trying to move people through it.

By doing that, we're also promoting redevelopment and infill. We're actually ensuring projects move forward with non-motorized travel, so that way you can actually have places where people will walk, versus having to get into their car to cross the street to go to a store. And then promote environmentally sensitive projects. We do have some environmentally sensitive areas left here in Broward. We have not filled in everything or paved over all the canals yet.

So the good news is is we're actually sensitive to actually moving and looking at how that looks. How do you develop a transportation plan? And this is this funnel effect. You have a vision. And whether Broward County, whether the MPO or the City of Hollywood or the City of Dania Beach or Lauderdale Hill or Coral Springs, each one has a vision for what they need to look like. So that's that larger top of the funnel.

And then we look at what the needs are, what do they say that everybody wanted to accomplish. That doesn't mean you're going to be able to accomplish it, but these are the things that you said you wanted. So these are all the needs. So everything fits into that, whether it's a state intermodal system or the transit development plan or any of the other plans that I was referring to. Then we prioritize those needs, because that bucket is only so large. We basically have about \$8,000,000,000 to spend. And as you move down through that, we prioritize those needs, but we recognize that we can't prioritize a need and start trying to fund it unless operating and maintenance is included in that, because there's no reason to start spending money on something that you can't afford to continue operating.

That's very important to the feds, and that's important to taxpayers. That's important to why we've put the program together the way we have. Then you build it down into what's affordable. And then you say, okay, we know we can pay for the O and M, we know we can pay for the capital, we know we can actually put a transportation program together.

So then the board, the Metropolitan Planning Organization, then adopts what is called a cost feasible. That is really what we can afford to do. It goes from vision to reality. And that reality is sometimes cold and harsh. Then, ultimately, and this is where we are today, is we have this transit improvement plan program. That program this last year was 1.8 billion dollars.

Yes, it's more than what I was talking about if you take it out over the number of years, because we also included what we're spending on State facility and other federal facility, as well as FAA investments into the airport, as well as federal investments into our seaport. So all of that gets factored in to an actual physical program that is money. It is real. It gets spent every day. That's why our economy has done so well here in Broward, because of the number of federal investments in construction that we have going on.

Between 595, the airport runway extension, the port turning notch, I-75, which is about to break ground, if you look at all of those projects, we've been able, through this downturn in the economy, to keep Broward's unemployment rate low because we've had construction jobs where other places have not.

And then, ultimately, we look at when things move out of the TIP, the funding, and the funding gets done and the construction is over with, you actually open for service. So what -- at the very bottom of this pyramid, this inverted cone, we have performance measures.

This is new for the Metropolitan Planning Organization. However, it is not new around the country. So then we are going to be measuring how those dollars were spent. Was that measurement -- was that investment worth what we put into it. Are we going to get that return? How did it affect the tax base? How did it affect people's ability to get around? How did it affect the ability for us to walk across the street? Did you get new jobs out of it?

How did that impact people's ability or what the federal administration calls ladders to success? Are you able to get to school? Are you able to find a job? Are you able to stay in your community? Can you feed your family? Important stuff to look at. But when you also look at this, we say, okay, where is that vision to transformation to travel within Broward?

So in the map off to my left, your right, you'll see the transformation plan. And that transformation plan from 2035 said this is now what we're going to start investing in, and we're going to start investing in transit heavily.

Well, masked in that plan was a very large O and M cost, something that was too large for what the budgets of our communities actually can handle.

So you go from that vision and you say how is that vision of transit -- and we looked towards the center of this and we said there is all the investments in these corridors. And you can see from the maps that we're corridors that we're looking at heavily for premium transit are more to the east, more where the density is, more where the older development is now being replaced by a higher density.

And to the west, it's more traditional. More bus, less development pressures at this

point in time, except out in Sunrise. And we'll start developing that area up, I think, as that redevelops from there. It will probably be another 30 to 40 years off.

Then you move all the way over and you see guiding principles. We get public input. We know how much we have. And then we also know we have to maintain the existing system. All those things come back together, and then, all the way to the right, this is what the 2040 plan can afford to do.

And, now, you see those blue lines on that map that are -- is not an increased bus system. That is the infrastructure to provide when that bus system or rail system is able to go in. So when we take the federal investments, we're going to be putting sidewalk improvements in, connectivity to get people to the corridor, that will help not only folks get onto the existing system, which we hope to -- Broward County chooses to expand, but it will allow for redevelopment to occur from the inner neighborhoods coming out, and actually encourage the redevelopment on the corridors versus the within the internal neighborhoods.

Now, financial. Cold water. Here's your pie. If you look at all the money that's available, to maintain the existing system, 50 percent, 58 percent of all the dollars have to go to maintaining the infrastructure that we have today. Not even a question. So then about 42 percent goes to improvements that we know we need.

Now let's go over to the bar. If you look at the bar, the top part says, here's our Turnpike and our interstate highway system. These are the improvements that are necessary. That's a very large chunk of the cash. So take that all off the table, because you're not going to be able to spend it on anything else. Then we start focusing in on major capital transit projects. \$840,000,000. We have another major capital roadway projects, \$842,000,000. And then, ultimately, the Complete Streets livability and the mobility hub issues, \$570,000,000. That's how much the board will be spending in our community over this planning timeframe.

I'm going to focus down a little bit further. So the major capital projects: these are maximizing fundings on the transit projects. We've been working with Broward County Transit, BRTA, and so forth, to understand the South Florida Regional Transit Agency, who operate Tri-Rail, to say, okay, what do you need; what are your needs; what's important to you.

Improving that additional right of way cost and all the rest of it, that's actually a very important thing. Right of way in Broward is a very expensive -- for an extra lane in both directions, and I know I've said this before to this body; an extra lane in both directions for one mile is \$150,000,000. Of that, \$30,000,000 is construction. The balance of that is for actual right of way acquisition.

So we can't afford to put more lanes down. Absolutely not. It's going to end up -- you just can't. It's physically impossible with the monies that we have available. I encourage

you to go look at the interactive map that we have, because that map on that website that's shown will help understand what we're spending on the corridors and where that money's going to be utilized for.

Now, that smaller box at the bottom, \$571,000,000. That's not a bad number. It consolidates all of our local projects into a box. And that's going to be an opportunity that's going to be amazing for each local government here, and I'm including the County in that. Previously, the MPO, in any given year, would give out projects called enhancement projects, are now alternative projects. And this last year, we awarded 4.4 million dollars. And it was competitive. And of 30 applications, only five got funded.

Now we're going to have about \$27,000,000 a year. And we're going to open that up at the beginning and say, give us your projects. The School Board, through the City of Hollywood, has a Safe Routes to School program we funded, and actually putting in the sidewalks that are necessary to get you to school. These opportunities are going to be exponential when you go from \$4,000,000 to \$27,000,000 a year.

Funding on that begins in fiscal year '19, and in people years, that actually starts July 1. For us, we're going into '15, to give you an idea of where we are in the calendar. So not many years to go. But the other good news about this particular program, unlike the way the TAP and existing cap program and originally enhancement programs were run is, you had a litany of paperwork you had to fill out. You had to have all these federal financing things you needed to manage, and, basically, it wasn't -- for you to actually apply for less than a million dollars for anything wasn't worth the effort, because you needed to bring in new staff, you had to bring in accountants, you had to bring in all these things.

What we are now working on is a program free of paperwork. And that's an important thing to think about as you're looking at the things you're going to be applying for for your cities or the County, because now we'll be able to offer you services to actually get these projects built without going through the hassle of a federal paperwork process. Now, there's still going to be the paperwork. It's just you're not going to have the burden of dealing with it. We have reached a deal with the Florida Department of Transportation that they will provide staff, and they will handle all the necessary paperwork and build projects to city or County specific design standards off the State system, off the federal aid system, which is also important to understand. So if you have a local project that is something that you need, start talking to your city managers, start talking to your other board members and say this is something now we'll have this opportunity to go fishing for.

And this will be an opportunity to bring federal dollars to your communities to allow for construction projects that you haven't previously had the opportunity to have. So that's part of the hallmark of this new 2040 plan. I look for you to participate. We have a website called commitment2040.org. Or you can just go to the Broward MPO website and get to 2040. Not that fast. And actually provide your input. Let us know your

thoughts. Let us know where you think we need to be headed with this. And with that, I'm ready for questions, Madam Chair.

CHAIR CASTRO: Anybody?

MS. KAPLAN: I have a question.

CHAIR CASTRO: Ms. Kaplan.

MS. KAPLAN: Hi. I'm just curious, are funds being allocated now for the projects in 2040 rather than funds being used for current projects?

MR. STUART: We are using our current project funding for current projects, and we are allocating every year. We add a fifth year every year. We're going to do that at the next meeting, add the '19 fiscal year to our capital budget.

MS. KAPLAN: Okay. So current projects are not being impacted whatsoever.

MR. STUART: No.

MS. KAPLAN: Thank you.

CHAIR CASTRO: Go ahead –

COMMISSIONER BLATTNER: Yeah –

CHAIR CASTRO: -- Commissioner Blattner.

COMMISSIONER BLATTNER: -- Mr. Stuart, thank you. That was about as short as it can get, but also it was a lot of meat there. I think one of the most significant things was the last point you brought out about the Department of Transportation willing to step up and do additional work.

And the significance of that for smaller cities, in particular, is if you don't have the staff to do projects in your city that you would be called upon to do, and you end up going to consultants to get the work done, am I interpreting this correctly that you really would be able to reach out, or FDOT will be reaching out to you to see if they can provide that, those resources? Is that a fair statement?

MR. STUART: That is correct. The MPO and the DOT will both –

COMMISSIONER BLATTNER: And that's very –

MR. STUART: -- be providing –

COMMISSIONER BLATTNER: -- significant --

MR. STUART: -- those resources.

COMMISSIONER BLATTNER: -- because we have, you know, 31 members of the MPO board, and when you get past the 15, the cities are small, and staffs are limited. And you end up paying for consultants if you can't do these things yourself, or you miss out on opportunities to apply for projects, to apply for grants, because you don't have the resources. So very significant.

CHAIR CASTRO: Okay. Mr. Furr.

MR. FURR: Thank you. You mentioned -- first of all, very good presentation. Thank you. You had mentioned about maximizing transit ridership. Have you done a survey of possible locations for TODs throughout the County, and are you working with cities and counties to try to figure out best places for that -- for those?

MR. STUART: Wonderful thing about --

MR. FURR: Because this is a land use --

MR. STUART: Yeah.

MR. FURR: -- Planning Council, so.

MR. STUART: The -- the wonderful thing about the Planning Council is we actually use your maps.

MR. FURR: Okay.

MR. STUART: And we said, okay, well, where are your CRAs? Where are you increasing density? Where do you anticipate to increase your density? The partnerships between both agencies are still strong. You know, we look to Barbara and her staff to help guide. We also work with every one of the Planning Directors out there.

We have them advising us on a Technical Advisory Committee. They send staff to that. And then, of course, we do do our own research, as well. Between us and the Florida Department of Transportation and the Federal Highway Administration, I can provide you more data than you'd probably ever want.

MR. FURR: Okay. So if I wanted to see a list of that, you could provide that?

MR. STUART: Yes --

MR. FURR: Thank you.

MR. STUART: -- we could.

MR. FURR: Thank you.

CHAIR CASTRO: Any other questions? Okay. Quick comment before you sit down, Mr. Stuart. Ms. Boy's about to probably start talking about the Comprehensive Plan and Land Use update process we're about to embark on. I know the MPO is considered a huge stakeholder in that.

Obviously, because you have a 2040 plan, you want to make sure that whatever we're doing with the Land Use, to Mr. Furr's questions, is consistent. There might be opportunities there, too, to enhance what the MPO is trying to do. So we assume you'll be full participants and all over it. Okay?

MR. STUART: Whatever you need.

CHAIR CASTRO: Thank you.

AGENDA ITEM R-2 - COUNSEL'S REPORT - 2014 LEGISLATIVE OVERVIEW:

CHAIR CASTRO: Okay. We're on to R-2, Counsel's Report.

MR. MAURODIS: Yes. At that last meeting, we discussed a legislative summary to advise you of some of the bills that might affect land use or government action. As indicated, it was not -- it was a fairly quiet legislative session from that standpoint. I've highlighted a few of the bills that affect land use or maybe government. Obviously, the reclaimed water is -- is -- there's a -- will be a focus on expanding opportunities for that.

For elected municipal officials, I just -- because I know there are a number of them on this board, you will be required to have four hours of ethics training. But in Broward County you're already required to have eight, so we have doubled the amount. And I don't think you need to repeat it, but there will be a requirement to file it on your financial form in the next year. Voting conflict is interesting.

UNIDENTIFIED SPEAKER: Do we have to pay for it?

MR. MAURODIS: They provided for -- as you know, you're required to vote on every matter unless you have a conflict of interest or there is a well-founded belief that there is a significant appearance of a conflict of interest.

In quasi-judicial proceedings, they have added another basis for abstention which is permissible. It is to assure a fair proceeding free from potential bias or prejudice. Don't know what that means, which is not reassuring coming from your lawyer.

But what -- you know, obviously -- and there's not a penalty if you're too cautious. So, I

mean, the goal is that if there are real concerns that your vote may be viewed as in some way biased or there is the perception that it could be biased, I think it broadens that within the context of quasi-judicial proceedings.

I'm certainly available. If you look at your agenda and you have a concern on any one of those quasi-judicials, my recommendation is contact me ahead of time so we don't have that full discussion here at the meeting, which -- well, sometimes it might pop up and you just realized it.

But -- and my recommendations are generally going to be on the cautious side. You know, they're getting more and more cautious each year. But it's a new basis for abstention that -- that is somewhat broader. Another issue that -- for building permits and other permits, there's a provision to extend them an additional two years.

This is all stems from the economic slowdown, where there was a desire to encourage economic development. And a lot of the permits languished because there wasn't money to build them, and there was a desire to keep them in force. So that has been extended for another two years. That has happened in the last three sessions, I think.

Vacation rentals, that's more going to be a city issue. But very strict laws against regulating vacation rentals were imposed in 2010 or 2011. Somewhat liberalized here. There is confusion among municipal lawyers as to exact effect of this. Again, that's going to be more of a municipal issue.

And a moderate change to use the initiative and referendum processes to undertake land use change. They've liberalized it a little bit, but it's a retroactive thing. So I'm happy to answer any questions, but that just summarizes some of the things that I thought might be of interest to you generally with regard to the legislation.

If you'd like more information on it, please contact me. I can provide you the entire bill. I chose not to attach them because some of them were parts of a very large bill that had nothing to do with anything you'd want to read, or I think you'd want to read.

So please contact me if you'd like to discuss any of these further or have any confusion. But the one thing to be aware of is the -- I think for you, the key is on the quasi judicial proceedings. A little further -- a little more leeway to abstain. We don't want to take too much advantage of that, but it's a little more leeway.

CHAIR CASTRO: I have a couple quick questions --

MR. MAURODIS: Yeah.

CHAIR CASTRO: -- going back to the ethics issue.

MR. MAURODIS: Yeah.

CHAIR CASTRO: I think there's a different form that the City Clerks, at least, fill out, instead of putting it on your Form 1, and they post it. They scan it, post it, whatever, and the OIG's Office picks it up. Having said that, coming from elected official to a non-elected status, as a member of the Planning Council, am I also required to do eight hours of ethics?

MR. MAURODIS: No, the -- this -- this -- I won't specifically read the bill, but I believe it says any municipal or County government board, Commission, or agency must training. All elected municipal officials. No, I don't believe --

CHAIR CASTRO: Okay.

MR. MAURODIS: -- it would apply to you. And, again, there are two separate forms.

CHAIR CASTRO: Right.

MR. MAURODIS: In addition, for municipal officials, there's another issue, and I'll just speak to it, because I know there are a number here.

COMMISSIONER DUBOSE: Yeah.

MR. MAURODIS: There is another change in that previously, if a city -- and I represent one city that has a stricter city code. That city has a city Ethics Code, there's a County Ethics Code, and there's a State Ethics Code.

For the city Ethics Code, there was a desire by the drafters to provide a more stringent conflict of interest standard than the State. I ruled, and I think correctly, that that could not be enforced, because the State has, one, a conflict of interest law that said you may abstain in these conditions, and another law, in another section, that says unless one of those conditions exists, you have to vote.

So a municipal ordinance which contained a more stringent conflict of interest law would be in conflict with the State law that says you have to vote unless you have a State conflict of interest.

What this law does do -- so if you're a municipal official, you need to be aware of this, and your city attorney, I'm sure, will be totally on top of it, but if you have a city conflict of interest rule, it may now be applicable, even if it's more stringent than the State.

Now, I don't know if that'll apply to any of the cities. Most cities don't have it. Heaven knows we have enough with the County Ethics Code to keep us busy. But should anyone have a local one, you might confer with your city attorney on that issue.

MS. GOOD: May I?

CHAIR CASTRO: You have a question?

MS. GOOD: Just through the Chair, can you just identify the bill number on the -- on that change for the ethics?

MR. MAURODIS: Yes. The ethics, that's -- I have Senate Bill 846. Or the -- on conflict of interest, I'm sorry, yes, Senate Bill 846. And if you'd like, again, I have all of it. If you want, I can scan it and email it to you so you don't --

MS. GOOD: I can look it -- I just wanted it identified. Thank you.

MR. MAURODIS: I think that that's something to take a look at for all -- everyone would want to just take a look at that in your -- on your board to see whether it would have any School Board implications. Because every time they change the Ethics Code, that is something that everyone should be very, very, very, you know, careful about. For this board, I'll try to keep you in good shape here, but a lot of you have other jobs.

COMMISSIONER DUBOSE: Just --

CHAIR CASTRO: Oh, go ahead.

COMMISSIONER DUBOSE: -- a quick question on that. So is that the only area that was addressed, conflict of interest? Because some cities --

MR. MAURODIS: Yeah, that -- that was the --

COMMISSIONER DUBOSE: -- have --

MR. MAURODIS: -- that was the big change.

COMMISSIONER DUBOSE: -- stricter, you know -- okay. Just that one area.

MR. MAURODIS: And last legislative year there were a few changes that dealt with what constitutes a specific financial interest.

COMMISSIONER DUBOSE: Well, that's what I was going to ask, because some cities are more restrictive than 112, so --

MR. MAURODIS: Well, now they may be. Now they may be. You know, it allows the cities, I believe, to be a little more specific on their conflict of interest standard. And so the key would be I'm just putting you on notice of that. For any municipal official, please talk to your local government attorney. One, they may have a slightly different view than mine. Two, they're the ones who are going to guide you on the scene there. For this board, it's not going to matter.

COMMISSIONER DUBOSE: So I hate to bring this up, and you're advising us to talk to our attorneys –

MR. MAURODIS: Yeah.

COMMISSIONER DUBOSE: -- but is this something that the IG is looking into in regards to –

MR. MAURODIS: No, the IG most likely will not be involved in that. The IG's real -- well, they have a very broad -- they pretty much can do anything other than your taxes, it seems like they can get involved in. But they have their hands full, and their main focus is going to be the County ethics law.

COMMISSIONER DUBOSE: Only reason I ask is because, on that note, they're trying to do a broad stroke in regards to how we seek legal opinions. And you're saying, you know, speak to our city attorney –

MR. MAURODIS: Oh, yes.

COMMISSIONER DUBOSE: -- so –

MR. MAURODIS: Yes.

COMMISSIONER DUBOSE: -- you know, they're taking a broad stroke on that whole approach, and this is -- you know, I just want to know if this is something that they're –

MR. MAURODIS: No. This one, you really want to do with your municipal. Even in the County ethic law, that hasn't changed yet. I think what you're referring to is that there -- in the County Ethics Code, the city attorney is permitted to issue what's called a safe harbor –

COMMISSIONER DUBOSE: Safe harbor.

MR. MAURODIS: -- opinion.

COMMISSIONER DUBOSE: Right.

MR. MAURODIS: And which places a tremendous amount of power in the city attorney, because when he or she issues that safe harbor opinion, that's binding. If you follow it, if you give the right factual situation, and the answer says you can do it, and you do it, even if the OIG says that's absolutely 100 percent wrong; that city attorney's crazy; that was a gift of an opinion; the public official is still safe.

And what the OIG sees as the problem is you have all these various city attorneys and you -- for instance, the definition of income for reporting your annual income. Everyone

has a different opinion of what that is. Is it passive income? Is it partnership income? Limited partnership income where you own a share? And there's no specific definition, so the OIG is pushing for -- they have not yet succeeded in getting to the point where they will be the ones issuing the opinions. At this point, it's still your city attorney.

COMMISSIONER DUBOSE: Oh, I'm aware. I just, you know --

MR. MAURODIS: But, yes, you're right. That's a coming issue.

COMMISSIONER DUBOSE: Okay.

CHAIR CASTRO: Well, and the specific example you're giving, whereas the State law last year trumped the city law regardless of it being more strict, your legal question is a conflict of laws.

MR. MAURODIS: Yeah.

CHAIR CASTRO: And you've got to have both parties look at that, which would be your city attorney. First of all, you have to determine if your law is more strict or not, and they have to do a comparison to figure that out. So I think that's why he's sending you back to your city attorney to -- what your law is.

MR. MAURODIS: I think, yeah, they'll --

CHAIR CASTRO: Yeah.

MR. MAURODIS: -- they'll offer you -- but on the State law, it's -- you really want your city attorney. And most likely --

CHAIR CASTRO: Sure.

MR. MAURODIS: -- what I would do, even for -- for questions that you -- this board asks me, if it's at all close, I contact the general counsel for -- I have his number on speed dial, for the ethics -- Florida Ethics Commission --

CHAIR CASTRO: Commission.

MR. MAURODIS: -- and I get an informal oral opinion from them --

CHAIR CASTRO: Right.

MR. MAURODIS: -- from him. And they are terrific. The counsel for the Ethics Commission, as far as knowledge and customer service, are absolutely terrific. And they're a resource that everyone should take advantage of, because they are there for you. They're very good. And there's no fear -- they don't self-report, so to speak. Don't

-- you're not turning anyone -- anyone in. I mean, I give --

CHAIR CASTRO: Or yourself.

MR. MAURODIS: -- them situations generally --

CHAIR CASTRO: Yeah.

MR. MAURODIS: -- but they're very, very helpful at the State level.

CHAIR CASTRO: Now, the other one I had a question about was the site plan extension.

MR. MAURODIS: Yeah.

CHAIR CASTRO: So if a local government has curbed site plan approvals to only last 18 months and expired --

MR. MAURODIS: There's a --

CHAIR CASTRO: I'm sorry?

MR. MAURODIS: -- there's a provision for extension of them for two years.

CHAIR CASTRO: A provision meaning it's automatically extended or --

MR. MAURODIS: No. You have to --

CHAIR CASTRO: -- the city has to vote on it?

MR. MAURODIS: -- you have to apply for it, but then it's pretty much --

CHAIR CASTRO: That's fine.

MR. MAURODIS: -- but it's close to automatic after that.

CHAIR CASTRO: Well, I just want to make sure local governments still have control. Every market is different, as you know. And so, hopefully, with the Home Rule that we have here in Broward County -- but you're kind of telling me that's kind of washing away a little bit.

MR. MAURODIS: I would not -- yeah, I would not consider --

CHAIR CASTRO: Yeah. I saw that face. I got it.

MR. MAURODIS: Yeah, you saw the face.

CHAIR CASTRO: You don't have to –

MR. MAURODIS: No, no.

CHAIR CASTRO: -- say anything.

MR. MAURODIS: They have to ask for it, and you have the right to either approve it or approve it.

CHAIR CASTRO: Right. Okay.

UNIDENTIFIED SPEAKER: Approve it or approve it?

CHAIR CASTRO: Or approve it. Thank you. Any other questions? Yes, Mayor Aronson.

MAYOR ARONSON: Thank you. Andy and Barbara, since the voting conflict provision potentially could come up to any member of the Planning Council, can I suggest that you send a link to that particular bill, Senate Bill 846, to all of the members –

MS. BOY: We will.

MAYOR ARONSON: -- of the Planning Council? Thank you.

CHAIR CASTRO: Anyone else? No? Thank you, Mr. Maurodis. That was very helpful.

AGENDA ITEM R-3 - EXECUTIVE DIRECTOR'S REPORT - BROWARD COUNTY'S LAND USE PLAN AND COMPREHENSIVE PLAN UPDATE/GOAL STATEMENT:

CHAIR CASTRO: Okay. Executive Director's Report, Ms. Boy.

MS. BOY: Good morning. I just have a couple things before we talk about the Broward County Land Use Plan overview. First, just to remind everyone that Mr. Bascombe resigned. He moved out of the Commission district that he represented and was appointed through. So I understand that was Commissioner LaMarca.

I understand that he's possibly going to be appointing a new member for the August meeting, so we'll see how that goes. And then we'll obviously invite Mr. Bascombe back to receive the certificate if he's interested in joining us. The second thing is I just want to talk about the additional agenda materials that I sent out yesterday.

There was quite a bit more than we usually have. Just to break it down quickly, they mostly refer to Items PH-7 and PH-9, so if you have a chance to go through that

information. I also want to let you know that as far as speakers for any of the Public Hearing items, there are only speakers on PH-7, and there's other speakers, but they're -- on other items, but they're for questions only.

And then, also, as a follow up to the voting conflict, I just wanted to mention that Commissioner Blattner did file a conflict of interest form for Item PH-1, and that's already filed with us for when you take your action. The final item is just in your backup materials, you have an updated table from what you received last month. We added some more information, trying to expand it. We added a goal statement. We worked with Chair Castro and the County staff, Henry Sniezek, to develop just the idea of where this overview of the County plan and the Comprehensive Plan is coming from.

We've identified a kickoff date. I'll be sending out a rather extensive email over the next two weeks asking people to save the date. We've been putting together mailing lists. We have over a thousand people on the mailing lists right now. You know, we reached out to the cities, other boards and agencies to get their interested parties list, you know, County Commission, mayors, managers, planners, that sort of thing.

So, like I said, there's about a thousand people right now on the list, and we're still working on it. Interested parties, attorneys, consultants, developers that have been in contact with any part of the County or plan over the last several years are included in that.

So, like I said, the kickoff meeting's going to be August 27th, and then we'll start establishing we'll start establishing the focus area workshops and committee meetings.

And, you know, these emails will go out to everyone, so if you feel like you're being overwhelmed by emails at that point, please feel free to let me know, and I can try to help that. We'll be sending a website link and those sorts of things. I don't know if Ms. Castro wants to add anything.

CHAIR CASTRO: Well, actually, I just want to say, if any of you have any questions right now, please feel free to ask them. I'll keep saying this over and over again. This is a huge initiative. You know, Mr. Stuart talked about the 2040 plan. This is probably the 3000 plan for Broward County. This is where we're going to go for the next 60, 70 years. As you all know, when you're doing land use planning and building, it takes 50 years plus to wash it out or change it. There is a lot of debate going on, there has been up in this Council, you know, is Broward County going more urban instead of suburban, when this plan was originally designed. I don't know. Maybe some people like that, maybe some people don't. Maybe people think it belongs in certain parts of the County.

There's all sorts of green initiatives. Obviously, there are transportation challenges. That's apparently shifting from building roads to changing the roads we have and smart streets and mass transit and things like that. So there's a lot of pieces coming together.

If you see any of these subcommittees that you definitely want to be included in, please let the staff know so they will include you when those meetings start to get called. All this eventually has to come together with a lot of stakeholders from the South Florida Planning Council, the MPO, and a lot of other people, the Broward County Board of Commissioners.

This is really a huge thing, and I give our staff credit for so far -- and Mr. Sniezek and his team for putting this together. So, please, make sure you're participating. Make sure you encourage other stakeholders that you know would be interested in these things to participate, because it's going to be about an 18 month process, and it will probably eventually change the landscape, no pun intended, of Broward County for the next century, at least. So these are the rules we all live by. This is the stuff we come in every month and we compare requests for land use changes and everything to.

And we've all struggled for everything from school generation rates to traffic generation numbers to everything else. This is the opportunity to change the overarching plan on how these things get looked at, considered, and measured. So this is where your biggest voice will ever be had. This is really, in my estimation and my lifetime in Broward County, probably one of the largest things the County has taken on that will eventually change its whole entire face, you know, and how we appear in a thousand years or whatever.

So, by all means, are there any questions, concerns about what you're looking at so far on this structure? If you don't like the structure, speak up now or forever hold your peace. Yes, ma'am, Mayor Aronson.

MAYOR ARONSON: I think the structure is well thought out, so congratulations for putting all the time and energy into that. I just want to ensure that all of the various reports that have been done within like the past five years, the 750 Plan, there's a number of ongoing resources that probably should be, you know, included in the website that you talked about, Barbara, in terms of resources. And there are many cities that have their own vision plans that could be looked at and evaluated in concert with this countywide effort.

CHAIR CASTRO: I think that's a good idea. I think a library would be a great idea. Climate change and --

MAYOR ARONSON: Right.

CHAIR CASTRO: -- water resources --

MAYOR ARONSON: -- all of those --

CHAIR CASTRO: -- all those.

MAYOR ARONSON: -- things.

CHAIR CASTRO: Those two subcommittees for the County –

MAYOR ARONSON: Yes.

CHAIR CASTRO: -- have generated a lot of studies, so you're absolutely –

MAYOR ARONSON: Absolutely.

CHAIR CASTRO: -- correct.

CHAIR CASTRO: Good –

MAYOR ARONSON: Absolutely.

CHAIR CASTRO: -- good suggestion.

MAYOR ARONSON: Thank you.

CHAIR CASTRO: Anybody else? No?

**AGENDA ITEM R-4 - CORRESPONDENCE/PLANNING TOPIC OVERVIEW -
TRENDS IN LOCAL MITIGATION STRATEGIES AND POST-DISASTER
REDEVELOPMENT AND RECOVERY:**

CHAIR CASTRO: Okay. R-4, did you want to address that or just have everyone make a note?

MS. BOY: Just noted.

CHAIR CASTRO: Yeah. Okay. That's fine.

PUBLIC HEARING

QUASI-JUDICIAL

CHAIR CASTRO: Okay. We're on to the quasi-judicial Public Hearing Agenda. We know that PH-7 is pulled. Are there any other pulls? Commissioner -- Mayor Aronson?

MAYOR ARONSON: PH-9.

CHAIR CASTRO: PH-9?

MAYOR ARONSON: Yes.

CHAIR CASTRO: Yes, sir.

MR. MAURODIS: Before you vote, if you're going to vote all at once, Commissioner Blattner, just for the record, needs to state the nature of his conflict. It's required by law. Just to remind everyone, when there's a conflict, it's a three-part -- there's three obligations. One, to announce the conflict. Two, not to vote, which is the negative obligation. And three is to fill out the form within 15 days. He's already -- he's ahead of the game on the form. I just need to have him announce the nature of the conflict.

CHAIR CASTRO: Well, what I want to do, then, is go ahead and separate PH-1 out for him. So that way, he's -- his no vote's not applying to anything else. I don't want to try to bifurcate his vote over a motion.

AGENDA ITEM PH-1 - RECERTIFICATION PCR 14-17:

CHAIR CASTRO: So if I can first have a motion to approve --

MS. GOOD: Move.

CHAIR CASTRO: -- PH-1.

MR. FURR: So moved.

CHAIR CASTRO: So moved. We have a first --

MR. FURR: Second.

CHAIR CASTRO: -- and a second. All in favor, say aye. All opposed? One abstention.

COMMISSIONER BLATTNER: Yes. Thank you. Thank you, Madam Chair. My reason for abstention is that my son is a member of the law firm representing the applicant in this matter.

CHAIR CASTRO: Thank you. Now we have --

COMMISSIONER BLATTNER: Again.

CHAIR CASTRO: Thank God he's got a job, so we're not going to complain; right? And hopefully not living at home, yes?

VOTE PASSES UNANIMOUSLY WITH COMMISSIONER BLATTNER ABSTAINING FROM VOTING.

AGENDA ITEM PH-2 - RECERTIFICATION PCR 14-15

AGENDA ITEM PH-3 - RECERTIFICATION PCR 14-16

AGENDA ITEM PH-4 - RECERTIFICATION PCR 14-18

AGENDA ITEM PH-5 - AMENDMENT PC 14-4

AGENDA ITEM PH-6 - AMENDMENT PC 14-6

AGENDA ITEM PH-8 - AMENDMENT PC 14-8

CHAIR CASTRO: Now we have PH-2. Right. Well, that's the key. It's financial independence. We have PH-2 to PH-9, but we're holding back PH-7 and 9. So you have 2, 3, 4, 5, 6, 8. Do we have a motion to approve?

MR. FURR: So moved.

COMMISSIONER DUBOSE: Second.

CHAIR CASTRO: All in favor? Any opposed? Seeing none.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM PH-7 - AMENDMENT PCT 14-2

CHAIR CASTRO: Okay. We're back to the agenda now and PH-7.

MS. BOY: PH-7. PH-7 is a second Public Hearing for Sheridan Station transit oriented development in the City of Hollywood. It's an existing transit oriented development. You can see it up on the monitor right now.

It was adopted in 2007 with the uses that are existing in the plan today. The proposed amendment is to change just the dwelling unit type. Currently, it's all high rise units, which is defined as four stories or more. So they're amending the unit type. And then, also, they're asking to change the phasing of the commercial to residential uses.

So those are the two primary changes that are in the proposed amendment. The Planning Council staff is recommending approval, as we did at the transmittal. The Planning Council recommended approval at your first Public Hearing. It was transmitted by the County Commission, came back from the State with just one brief statement about transportation, an informal comment that's addressed in your report.

Planning Council staff continues to recommend approval, recognizing the voluntary commitments that are in place since the 2007 amendment. Those are listed in the report, the mitigation of the adverse transportation impacts, the restriction of 20 percent of the units to workforce affordable housing, the maintaining of the Coral House and the tree canopy as a six acre park, and then also the applicant's commitment and what they went through to identify the archeological features of the Coral House.

So Planning Council staff continues to recommend approval. We have several speakers signed in for the item, so I can start calling them, or how do you want to handle this?

Planning Council
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LG/NC

CHAIR CASTRO: Yeah, we'll go ahead and listen to the speakers first. I'm going to remind the speakers before she starts calling them, we usually give you three minutes. I'm going to attempt to use the clock today. I try not to stick totally to the clock, but that means you can't go on for five minutes, because we obviously have to keep going.

But -- and I also find the clock distracts people. If they're not used to watching it up there, it makes them a little more nervous. So if we all understand we have about three minutes, if you want to call the first speaker.

MS. BOY: The first speaker is Karen Caputo, followed by Cliff Germano.

MS. CAPUTO: Karen Caputo. I live in Hollywood. I live near this projected development, and I believe it's probably the most appropriate place for a TOD. It's just perfect for a TOD, in fact. And I was very disappointed to find out that it would probably be a few years before it actually becomes one, and that a majority of the area -- not the majority of the area, but the north part, was not going to be developed any time soon, since FDOT does not have a lessee for the property.

I have seen this plan evolve and evolve and evolve and evolve, and change and change and change and change and change. And on Saturday, we were shown a partial site plan that changes it again to where the area that was supposed to be the Phase 2 commercial portion, is now residential and a parking lot. But we did not see a site plan that shows where the commercial area is going to be. There's also no commitment to build the 500 units. And we keep hearing that it's going to be more than the 300 that they originally -- was in the original plan, and -- but not the 500 units, which means there would not be a mixed use. It would not trigger the requirement for the mixed use property.

So my question today is is there a site plan for this property that shows that the developer is committing to the 500 units so that there will be mixed use on that property, and does the site plan show where that mixed used will be? Because we haven't seen it yet.

CHAIR CASTRO: I'm going to let the applicant answer your question when all the other speakers are done, but I just want to give you a procedural answer right now. This body, we don't take up or even look at or get involved in site plans. We're just doing the land use part, what happens with land.

We change land use every day without even having a developer or an investor or anybody even coming to the table yet, just because it's good for that area of the County or the city.

So the site plan questions you're asking would probably be more appropriately at the city government level. And so you might want to go back, if the applicant doesn't answer your question today, I would go back to your city government and ask them

those very questions and see if the electeds or the staff there can produce what it is you're looking for.

MS. CAPUTO: Thank you.

CHAIR CASTRO: You're very welcome.

MS. BOY: Cliff Germano, followed by John Sutton.

MR. GERMANO: Good morning, Council. My name is Cliff Germano. I'm a resident of Hollywood. I live about three blocks from this proposed development. The argument is that you guys are taking up just changing the type of dwellings and the phasing of the construction, and nothing else is pertinent, based on what I was given in your advance agenda in relation to this project.

You're basing that on the fact that all the rest of these conditions that were mentioned by Ms. Boy are going to remain in effect, and stating it's still a TOD. Well, the only thing being proposed is apartments, so is it really still a TOD? Now, that's a question that I have. I feel like also you're relying on some what is now inaccurate information.

One of the conditions was a six acre park. There was a hastily called meeting in Hollywood on June 3rd where the residents were presented some proposals for this park, and it was 6.015 acres in one slide, and the next slide they showed us, it's really 4.7 acres, because they're putting three retention ponds, one wet, two dry, which will be reserved -- you know, which takes up part of the park land, and then they're putting a road in as access to development, which further reduces the size of the park.

So now I know where that stands. The other question we have is traffic. In the previously approved site plan, the one that everybody's seen, there's a big water feature and a sign at the Sheridan Street side. Now the water feature is at the Taft Street side, along with the sign.

Does this mean that -- can one infer that now the main entrance is going to be Taft Street as opposed to Sheridan Street? Because if that's the case, it makes a big difference for the people in the immediate neighborhood. Our problem is, you know, there were two traffic studies done, one by Calvin, Giordano in November of 2007, specifically for station -- this project, which showed Taft Street as an F rated road in that section.

There was another one the City of Hollywood had dated January 2008, which showed exactly the same. Taft Street hasn't changed. It's still a two-lane road. In the interim, since this project was originally approved in 2007, there's been a lot of development in and around this project. The Tri-Rail has been double tracked, is much busier.

You have Yellow Green Market directly next door, which did not exist. The hospital

expanded, Heico expanded, and Invicta Watch expanded, Rotary Park expanded, YMCA expanded. All these are new pressures on the same two lane road.

Additionally, there's been a 2200-student charter school approved nine blocks away on Taft Street. There's been a townhouse development approved four blocks away on Taft Street. All this adds to the fact that the road is already overburdened. One of the conditions approved in your plan as a recommendation that had to be done was a left –

CHAIR CASTRO: It's okay.

MR. GERMANO: I'll finish –

CHAIR CASTRO: Go ahead.

MR. GERMANO: -- if you'll allow me. A left and a right turn lane at 40th Avenue and Taft Street, which there's been a traffic circle there since 2010 as part of a hospital expansion. So a left and a right turn lane would be pretty well impossible. So if that's inaccurate, what is the rest of the 2014 traffic study? Is there other inaccuracies? So that's our concern.

Look, developers have a right. Let them build what they want to build. As a resident, we just -- don't overburden our neighborhood. Don't destroy our quality of life. You know, work some kind of solution. And that's all we're asking for. Thank you.

CHAIR CASTRO: Thank you.

MS. BOY: John Sutton, followed by Lynn Zolezzi.

MS. BOY: Oh, okay. Mr. Sutton's here just for questions, not to speak. So Lynn Zolezzi, followed by Debbie Orshefsky.

UNIDENTIFIED SPEAKER: We're all questions only.

UNIDENTIFIED SPEAKER: We're all for questions.

MS. BOY: You're all -- okay.

CHAIR CASTRO: Oh, okay. John is with you.

MS. BOY: I'm sorry, you said (inaudible)

CHAIR CASTRO: So we're done with the –

MS. BOY: Jean -- yeah. Well, the rest –

CHAIR CASTRO: -- okay. We're down to the applicant now.

MS. BOY: -- are questions only.

CHAIR CASTRO: Yes. That's fine.

MS. ORSHEFSKY: Good morning, everybody. Debbie Orshesky representing the applicant. There were, I guess, two questions here. First is Ms. Caputo's question regarding a site plan. I know this is not within your purview, but let me just share with you what has been going on at this project. As I explained to you many months ago, in 2012 FDOT and my clients terminated the lease on the 18 acres, for a bunch of reasons we don't need to get into. We then spent a year working out what I affectionately refer to as a divorce decree or agreement.

And it's a very amicable separation. The development rights relative to each of the pieces here, 18 acres that are the FDOT piece, and the 22 acres which are owned by Okomo Associates, my clients, step one in that separation was to allocate the development rights that are permitted under the existing TOD that's before you today, but to allocate those as a platting matter.

That was approved by the County Commission in February, and, in fact, that plat was recorded and all parties are very happy that we now have a plat showing this separation.

Step two of the separation is a pending amendment to the plan development zoning for the site. The city uses a PD; it's very similar to what other cities may use as a PUD. They call it a PD or PDD. That process is actually going through technical review at the city. It has a master plan that shows this same allocation of the uses, as well as a master access plan for pedestrian and vehicular, the same as we put in your backup to show how traffic will now be divided so that all of the intensity on the north 18 acres will not have access to Taft Street, which is something that we did in response to community and municipal concerns.

So to the extent is there a site plan for the 18 acres, the answer is no. Is there a PD master plan? The answer is yes. Is there a site plan for the south portion? Yes. That's in technical review. We expect that all of the pending municipal approvals will be completed by the fall.

And with that in mind, let me address the other issue, which goes to some of the comments by Ms. Caputo and references by Mr. Germano. There -- yesterday, I believe, that Barbara was kind enough to circulate an email that we received from Lynn Zolezzi, who is the representative here today for FDOT, which was an email from John Portera, who is the FDOT official responsible for the 18 acres' future.

Mr. Portera had a meeting with the Secretary and could not be here today. He

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apologizes. However, he sent an email which explains how the city -- how FDOT, the city, the MPO -- thank you, Commissioner Blattner, for your dual role there -- are going to be working together with the city's economic development representatives, FDOT to put together a request for proposals for a developer, which they hope to have out and ready during 2015.

They are waiting until the local approvals, which complete the separation legally but still permit the integrated use and design of these two parcels, will be completed in the fall. So we believe we've addressed all of the concerns, and appreciate your support for this matter today. Thank you.

CHAIR CASTRO: I'm -- I'm going to step back and ask -- break it down, because I've been doing this for ten years now, and I still don't know what I don't know, and sometimes it's even hard for me to follow the bouncing ball. To -- to get more specific, the park --

MS. ORSHEFSKY: Yes.

CHAIR CASTRO: -- green space. Six acres, a little less than six? Now, I'm going to tell the person who mentioned it, I don't mind water elements on a park. In South Florida, where water is a sacred, you know, element, the more water we have anywhere sitting, even in a park, the better off I am. So is the park six acres or not?

MS. ORSHEFSKY: The park is platted as six acres.

CHAIR CASTRO: Okay.

MS. ORSHEFSKY: Slightly more, actually.

CHAIR CASTRO: Okay.

MS. ORSHEFSKY: However, as was reflected in the supplemental materials that were provided to you, I believe last Friday, let me break down exactly what the park history is. When this first came through for approval through the city in 2007, 2008, it got its final approvals. The city's park impact fee ordinance required a dedication of approximately four acres for this site.

CHAIR CASTRO: Okay.

MS. ORSHEFSKY: And early -- the record reflects that early plans for this park were four acres. And the other two acres that have ultimately become part of the park were going to be townhouses kind of scattered and located through an oak hammock. The development team determine that those townhouses were more trouble than they were worth because of the tree mitigation issues and the extension of the canopy, together with the dedication of the Coral Rock House, which was at the north end of that park.

When you put all those pieces together, the applicant actually voluntarily agreed to dedicate two additional acres. So it became a six acre park with a proviso that we retain the right for drainage and access through the park for this development to access Taft Street.

CHAIR CASTRO: But you're meeting the four acre green standard in the city ordinance anyway.

MS. ORSHEFSKY: We're actually meeting the six acre –

CHAIR CASTRO: Okay. Yeah, okay.

MS. ORSHEFSKY: -- because they -- they count things -- we're exceeding their requirements –

CHAIR CASTRO: Water –

MS. ORSHEFSKY: -- quite frankly.

CHAIR CASTRO: -- elements are counted. We went through that exercise last year a little bit, so I'm with –

MS. ORSHEFSKY: Just –

CHAIR CASTRO: -- you on that, yeah.

MS. ORSHEFSKY: -- the applicant is also required under an agreement with the city to actually construct the improvements. That site, six acres, has a gorgeous canopy at the top, but it has over 280, I think, trailer pads, a destroyed understory, or a non-existent, and a lot of other things that we're not even sure what we're going to find underneath the -- the dilapidated school bus.

CHAIR CASTRO: And is it a natural park, or are you building it?

MS. ORSHEFSKY: We are building it.

CHAIR CASTRO: Okay. So –

MS. ORSHEFSKY: And delivering it completed to the city.

CHAIR CASTRO: -- to help some of the people who have concerns, the motion could be that -- that permits -- and this is, again, a city thing. It's not our thing. But at the city government level, permits aren't issued until the park is completed or type things, conditions.

MS. ORSHEFSKY: We already have an agreement –

CHAIR CASTRO: And –

MS. ORSHEFSKY: -- with the city that we have to complete -- it's a site plan condition that we have to complete the park prior to issuance of the –

CHAIR CASTRO: Perfect.

MS. ORSHEFSKY: -- first C.O. for any residential –

CHAIR CASTRO: Perfect.

MS. ORSHEFSKY: -- development.

CHAIR CASTRO: And I -- and I'm just trying to get them to go with the process, because the process is very difficult to understand. But I'm trying to answer their questions with probably the guarantees they're sort of looking for. So you're going to have to forgive me as I walk through this process with you. The concern about you have plans to develop residential but there's really no commitment yet that you -- they're aware of that you have for any commercial or anything like that, can you enlighten us a little bit more on that, where you are in that process, what you have, or what you don't have?

MS. ORSHEFSKY: The commercial development is -- on the site is allocated to the 18 acres by FDOT.

CHAIR CASTRO: Right.

MS. ORSHEFSKY: Pursuant to Mr. Portera's email, which Ms. Zolezzi can –

CHAIR CASTRO: Right.

MS. ORSHEFSKY: -- explain in more detail if you'd like, FDOT intends -- and let me just read. Their goal is to have a mixed used transit development on the 18 acres –

CHAIR CASTRO: Okay.

MS. ORSHEFSKY: -- and the RFP can be issued for development of the FDOT site during calendar year 2015.

CHAIR CASTRO: So since the divorce, FDOT is now moving forward with that on their own –

MS. ORSHEFSKY: Yes.

CHAIR CASTRO: -- merit. Okay. I just want to make sure they understand what your position is, because now you've bifurcated, with FDOT having one process and you having another. So they may have to come back if they have concerns on the FDOT side. Lastly, the site plan. You mentioned it's going through the city probably by the fall?

MS. ORSHEFSKY: It's in process right now.

CHAIR CASTRO: Okay.

MS. ORSHEFSKY: We hope to have the site plan approval sometime in the fall.

CHAIR CASTRO: In the fall. So that would be -- now would be the time if they wanted to go see what the site plan looked like and whatever, to go to their city government and take a look and do whatever they're going to do.

MS. ORSHEFSKY: Yes. We have had --

CHAIR CASTRO: Okay.

MS. ORSHEFSKY: -- by the way, the city's technical advisory committee is a public meeting. So in addition to multiple TACs where this site plan, the PD master plan, and all the other items we've been talking about were presented, we've had probably three or four communitywide meetings in the City Commission chambers, which were properly noticed so that the entire City Commission could be there, too. It has been a very transparent process. We've been working closely with the city administration, since we know this is such an important project to the city and the neighborhood.

CHAIR CASTRO: Okay. Now I'll open it up to other people. I'm sorry to hog up the time. Ms. Kaplan, then Mr. Furr.

MS. KAPLAN: Hi. I just have a quick question.

MS. ORSHEFSKY: Yes.

MS. KAPLAN: I understand that part of this is right near the Sheridan Tri-Rail station. Are the commuter parking spaces going to be impacted at all, and has this been addressed?

MS. ORSHEFSKY: The 18 acres that comprise the Tri-Rail station and the parking area are part of the FDOT parcel. The 22 acres to the south is a -- now going to be a residential community. The 18 acres will have -- FDOT has a requirement on any developer that would come to that site that they have to provide a minimum of 793 parking spaces before they could develop the 18 acres.

MS. KAPLAN: Okay.

MS. ORSHEFSKY: That was the prior obligation that our client had, and I'm sure that FDOT would continue with that.

MS. KAPLAN: Thank you.

CHAIR CASTRO: Mr. Furr.

MR. FURR: Thank you. First of all, I appreciate you kind of clarifying everything ahead of time, so you've kind of made it easy. This -- you know, this project has gone through an enormous amount of changes over eight, nine years. It's kind of a ghost of what it was to begin with, because there really was a very big mixed use, workforce housing right up against the Sheridan Station. So now it's kind of flipped. But it -- the -- so you're -- you're saying now all of the commercial is going to be on the north side. There will be -- the whole part you own will have no commercial?

MS. ORSHEFSKY: That is correct.

MR. FURR: Okay.

MS. ORSHEFSKY: In fact, the plat has already been -- plat notes have already been amended and recorded that reflect on the 22 acre Okomo site, which is a new Parcel D, as in Debbie, that we created, 500 residential units. The balance of all of the entitlements in the TOD are attributed to the 18 acre parcel owned by FDOT.

MR. FURR: Okay. And can you explain the ingress and egress from -- on the north side? Who -- in other words, residents who live there, they can go out but -- but other people can't come in; is that correct?

MS. ORSHEFSKY: There will be no access from -- I'm trying to figure out the best --

MR. FURR: From Sheridan Street?

MS. ORSHEFSKY: -- Sheridan -- the Sheridan Street -- the entire development will be able to access Sheridan Street. So residents within the 22 acres, future residents, will be able to go north or south to exit either -- and enter via Taft or Sheridan. However, the development on the 18 acres will be restricted to only accessing Sheridan Street. And that is --

MR. FURR: So there can be a cut-through, is what I'm asking.

MS. ORSHEFSKY: There cannot be a the only people that will be able to go from Taft Street to Sheridan through this site are residents of the 22 acre south residential parcel.

MR. FURR: That's important, because 26th is a log jam already. So, obviously, a lot of people would have loved to be able to do a cut through there. But that's not going to be

allowed.

MS. ORSHEFSKY: They will not be able to do it. It will be completely gated and restricted. And that's reflected on the access plan that's in your backup, on the PD master plan, and on our pending site plan which shows gated access, residents only –

MR. FURR: Okay.

MS. ORSHEFSKY: -- at the north and the south.

MR. FURR: Okay. The other issues have to deal more with site plan issues, but I do know a lot of the people there, and I fought hard early trying to protect that park, and I'm glad we're -- I'm glad you added the Coral House to it.

But it does beg the question is who -- is who's going to be doing the maintenance on that. If that is going to be your ingress into your residential community, if that's a park that the city owns, then -- but that's also your way of going into your residential development, I think we're going to -- I think the city's going to have to look at who -- you know, what -- what maintenance requirements are there, who's going to be responsible for it, who's going to be responsible for all the ponds, all those kind of things, and if there needs to be maybe a separate road around that, you know, in lieu of that.

Because that's -- otherwise, it's almost as if you're dedicating the park to the city, but then the city's going to be essentially maintaining your right of way into your development. So there's some -- there's some questions there. That doesn't happen here, but it does happen on the city -- on the city side. So knowing that the site plan's going through now and it's at TAC right now –

MS. ORSHEFSKY: Yes.

MR. FURR: -- it's at TAC now, my suggestion is -- to the resident is to get involved quickly now and be a part of that while that's going on.

MS. ORSHEFSKY: If I may add something –

MR. FURR: Yes.

MS. ORSHEFSKY: -- the city Parks and Recreation Director just published notice yesterday of a community meeting on July 8th at the City Commission chambers, I think it's in the evening, to discuss the park design. We had prepared a park design that was based upon input from our arborists and everyone -- and design professionals. It was vetted through city staff.

And it has had a few public forums, and this is the one to bring it all together, so that the

public's input on the park design and some of the issues you're raising -- not the maintenance, because we've already said we're going to maintain those lakes, but in terms of design issues, that those will be incorporated at the site plan stage, because the park site plan and the residential site plan are going together as one, as a single site plan, since we have to build both before we can get a C.O. for the residential.

MR. FURR: Okay. That's it. Thank you.

CHAIR CASTRO: Thank you. Commissioner Kiar.

COMMISSIONER KIAR: Thank you, Madam Chair. I'll just be very brief. Actually, most of my questions were asked. And I just wanted to -- you know, as a County Commissioner, I've been trying very hard not to get involved with issues that are relegated solely to the cities, that we have no authority or jurisdiction over.

And I know that the folks that came up and let us know their concerns had some very legitimate concerns, but those appeared -- and I know that was kind of mentioned up here -- to be mostly geared towards decisions that are going to be left up to the city.

And that's why all I really wanted to do was just -- and I know you're going to do this anyways, Ms. Orshefsky, but just to continue to work with the residents as this goes forward to help to try to alleviate some of their concerns. And that's really all I had to say. But thank you.

MS. ORSHEFSKY: Understood.

CHAIR CASTRO: Mayor Aronson.

MAYOR ARONSON: Thank you. I need to disclose that I had a conversation with Ms. Orshefsky earlier this morning. And I really looked at this project. I think this gives a very unique partnership -- provides a very unique partnership between the City of Hollywood, FDOT, the MPO, and the developer for a nice transit oriented development project which will help revitalize the corridor along I-95.

And it's going to add a park, protect a tree canopy, and save the Coral home. I drove through there many, many months ago, and it -- it's -- you know, really sounds like a great opportunity, but I also -- I know Commissioner Kiar just reinforced the need for the city to work with the public. And I know that that's already being done, from what I'm hearing this morning. So I think it's a great opportunity to help revitalize that area.

MS. ORSHEFSKY: Thank you.

MAYOR ARONSON: Thank you.

CHAIR CASTRO: Mr. Hobby.

MR. HOBBY: Just a clarification. On the map, the south area, that it says single family residential, and on our backup proposed designation, the change is to 500 multi-family dwelling units? Am I –

MS. BOY: We -- I'm sorry.

MS. ORSHEFSKY: No, go ahead, please.

MS. BOY: That's just the -- what's the existing use that's permitted on the property. That's not what's proposed –

MR. HOBBY: Oh, okay.

MS. BOY: -- for the property. So that's the property that's defined as the transit oriented development, and that's defined by the uses –

MR. HOBBY: All right. My misunderstanding.

MS. BOY: -- in the Broward County Land Use Plan. So we're just demonstrating that there are uses permitted there now.

MR. HOBBY: Okay. Thank you.

CHAIR CASTRO: Ms. Graham, did you have something to say?

MS. GRAHAM: I think there was someone before me.

CHAIR CASTRO: No. You're fine. Ms. Graham.

MS. GRAHAM: Thank you. Just for a point of clarification, you described how the City of Hollywood has a PUD designation for this parcel. And the city park that we've talked about, with the water features and whatever, that is going to be inside the PUD owned by the developer; am I misunderstanding that?

MS. ORSHEFSKY: The city park, as a planning matter, is part of the PD. However, we are required to dedicate that park to the city prior to issuance of the first C.O. for any development on the site.

MS. GRAHAM: Okay. And then they come into the property from the north or the south, and is the park going to straddle the limited access from the north and the south?

In other words, the city comes in to maintain their park that's dedicated within the PUD, but they don't have access to the park directly from any other street; they'd come into your development?

MS. ORSHEFSKY: No. They will come in from Taft Street, because the park is at the very southern end and touches Taft Street.

MS. GRAHAM: Oh, okay. So, actually, looking at your diagrams here, does the park actually abut, or portions of the park abut Taft Street?

MS. ORSHEFSKY: Yes, that –

MS. GRAHAM: Okay.

MS. ORSHEFSKY: -- is correct.

MS. GRAHAM: And then my other question is I looked at the traffic study references under the significance analysis by Calvin, Giordano. They mention the traffic study from '07.

Did they do another full blown traffic study in February 2014, or did they just modify the numbers that are included in those charts? The pages aren't numbered, but it's inside the significance analysis, maybe pages 4 and 5.

MS. ORSHEFSKY: What they did was they updated the 2007 to account for some fundamental changes. For example, the limited access, the fact that the north piece didn't have any access now to Taft Street, and how that would change circulation for purposes of the three percent sufficiency requirement, and some timing changes, because the build out dates of the site have been extended.

MS. GRAHAM: Okay. And then one final question, several of the speakers mentioned some new development that had come along on Taft, some residential, a school, and what have you. Were those numbers incorporated into the recalculation, and –

MS. ORSHEFSKY: Yes.

MS. GRAHAM: -- that's somewhere in the record?

MS. ORSHEFSKY: And, in fact, we got a list, an official list from the city engineer that incorporated those projects which had been approved or committed developments as we define those, meaning they're real enough that you count them in. And all of the ones that were mentioned were taken into account as of that date.

MS. GRAHAM: Okay. That's –

MS. ORSHEFSKY: There's a list in the -- in the study that shows it.

MS. GRAHAM: Okay. So it's basically in the hands, then, of the City of Hollywood at this point. Okay. Thank you.

CHAIR CASTRO: Commissioner Lazarow, did you have -- okay. Anything else? Commissioner Blattner.

COMMISSIONER BLATTNER: Yes. Just also keep in mind that at full occupancy, there were, I think 200 mobile homes that aren't so mobile, or maybe never were. All those folks had vehicles. All were exiting on Taft Street. So that was netted out of the traffic study when you --

MS. ORSHEFSKY: Actually, 180 of them were accessing directly onto Taft and had no access to the north.

COMMISSIONER BLATTNER: Right. The other thing I wanted to mention, just for the benefit of the Hollywood residents who are here, because it was alluded to, was -- quite by coincidence, there was a meeting at the MPO Monday with FDOT and representatives of the city, at which time the city proposed being a partner with FDOT for the development of the 18 acres.

Very unique. FDOT says, as we all know, we're not developers. We really don't know how to do this. We really don't want to do this. And developers are not beating down our doors to do something in that property. And FDOT said, we think this is a terrific idea to partner with the city, which is what we're going to do to develop the northern part of that parcel.

And I have to also point out that, especially if you're looking at the map, on the -- on the west side of the Tri-Rail tracks, there is an abandoned cement plant that's owned by Cemex, which at one point was the largest manufacturer of cement in North America, which is closing all of its plants. That's an abandoned plant. FDOT has no control over that, or interest in it.

We do, as the city. And the idea is a linkage between a development process on that west side of the tracks to the east side of the tracks, by a bridge, to enhance the transit oriented development concept of that whole parcel.

We see this as a really remarkable opportunity for redevelopment to the benefit of the residents of Hollywood, as well as Dania Beach and other communities nearby. So as was mentioned, this probably won't happen for a year, because it takes a long time.

But the evidence that I'm very proud of, and Commissioner Furr should be, too, former Commissioner Furr, is the development of Margaritaville. And we're following the same step by step by step transparent processes -- process as we move forward to develop those 18 acres.

CHAIR CASTRO: Thank you. Anyone else? Seeing none, bringing it back to the Council for action.

COMMISSIONER LAZAROW: Motion to approve.

CHAIR CASTRO: I have a motion, Commissioner Lazarow.

MAYOR BOCCARD: Second.

CHAIR CASTRO: Second from, I'm sorry, who? Thank you.

MR. DUBOSE: Mayor.

CHAIR CASTRO: Mayor Boccard. Any other issues? Roll call, please.

THE REPORTER: Mayor Lisa Aronson.

MAYOR ARONSON: Yes.

THE REPORTER: Commissioner Richard Blattner.

COMMISSIONER BLATTNER: Yes.

THE REPORTER: Mayor Vincent Boccard.

MAYOR BOCCARD: Yes.

THE REPORTER: Mr. Neal de Jesus. Commissioner Bobby DuBose.

COMMISSIONER DUBOSE: Yes.

THE REPORTER: Mr. Beam Furr.

MR. FURR: Yes.

THE REPORTER: School Board Member Patricia Good.

MS. GOOD: Yes.

THE REPORTER: Ms. Mary Graham.

MS. GRAHAM: Yes.

THE REPORTER: Mr. Dan Hobby.

MR. HOBBY: Yes.

THE REPORTER: Ms. Lynn Kaplan.

MS. KAPLAN: Yes.

THE REPORTER: Commissioner Martin Kiar.

COMMISSIONER KIAR: Yes.

THE REPORTER: Commissioner Michele Lazarow.

COMMISSIONER LAZAROW: Yes.

THE REPORTER: Commissioner Michael Long. Commissioner Rita Mack.

COMMISSIONER MACK: Yes.

THE REPORTER: Mayor Michael Ryan. Mr. Nicholas Steffens. Mayor Daniel Stermer. Ms. Anne Castro, Chair.

CHAIR CASTRO: Yes. Thank you. The item carries.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM PH-9 - AMENDMENT PC 14-3:

CHAIR CASTRO: On to PH-9. I believe School Board Member Good pulled it? Who pulled PH-9?

MAYOR ARONSON: I pulled it.

CHAIR CASTRO: Okay. Mayor Aronson. Thank you.

MAYOR ARONSON: Oh, okay. I pulled this item in Oakland Park because I had some concerns about the compatibility of the proposed employment center use with the neighboring residential. There is a very small buffer between a warehouse on 38th Street that currently has some businesses in it, and the residential area to east. And I just wanted to hear a little bit more from the applicant and/or the city about what can be done to -- you know, what is being considered for that particular site. Is the employment center being considered for the entire boundary, or just that warehouse, that -- what was the Sears -- used to be the Sears warehouse --

MR. KERR: Correct.

MAYOR ARONSON: -- on 38th Street.

MR. KERR: For the record, my name is Leigh Kerr, Planning Consultant here on behalf of the applicant, City of Oakland Park. As many of you may know, this building in

question is -- it's already in the LAC. We're just changing uses within the LAC. But it was a Sears warehouse historically. I remember it when I was a kid.

UNIDENTIFIED SPEAKER: Yeah.

MR. KERR: So it's been there for a long, long time. '70s, I think. And it's the interface that past Council member and former Mayor Boisvenue has a concern about. And we'll continue to work with her on the buffering, but it really is a site planning thing. It's an existing condition. There are elements of the code in place that will address it as time develops. So -- but we are willing to work with her.

MAYOR ARONSON: Okay. I did -- I did have a conversation with Suzanne Boisvenue --

MR. KERR: Yes.

MAYOR ARONSON: -- also, and I'm also familiar with this. But, Mr. Kerr, can you just -- is the employment center the entire area or --

MR. KERR: Well, the employment center is a new --

MAYOR ARONSON: -- more than just --

MR. KERR: -- it's a new use being added to the LAC district.

MAYOR ARONSON: Okay.

MR. KERR: A large part of it will be sort of used within this building, the Sears building, because a lot of those uses are employment center-based uses. We didn't have the category before. We're introducing it now because originally there was supposed to be a residential project there, but the market changed, and it's becoming an adaptive reuse.

So there's some interest in -- the Funky Buddha's there. There's going to be a Stork's Coffee Shop, and they're trying to put a central market in now, so like an incubator type of use. So it's evolving into an employment center-based type of uses, so that's the reason why we're asking for that.

MAYOR ARONSON: Okay.

MR. KERR: But a majority of them will probably be in that building, yes. Of the employment center type --

MAYOR ARONSON: A -- a majority --

MR. KERR: -- uses.

MAYOR ARONSON: -- of the employment center use --

MR. KERR: Right.

MAYOR ARONSON: -- will be in that warehouse.

MR. KERR: And, then, employment center type of uses, if it was an independent land use amendment, I mean, it's sort of a -- it's a hybrid of -- it's not industrial. It's lighter, and it's -- actually, in -- in the objective, it speaks to being compatible with residential uses. So it is a type of use, if it were an independent land use today, that would be appropriate for this interface. But we understand that there's a concern about the existing condition of the buffer and that type of thing. And I think between first and second reading we can look more into that.

MAYOR ARONSON: Okay. I mean, one of the emails that we received was a photograph of a large 18-wheeler truck backing up --

MR. KERR: Right.

MAYOR ARONSON: -- to a fence, but -- and that setback is very, very small. But a lot of the area further behind that warehouse doesn't have that type of a protective fence. It's more of a chain link fence with very little landscaping. I know it's site plan issue. That's why --

MR. KERR: Right, right, right.

MAYOR ARONSON: -- I think --

MR. KERR: Well --

MAYOR ARONSON: -- between first reading and second reading, as long as Oakland Park can come back with --

MR. KERR: -- we can look at --

MAYOR ARONSON: -- just an acknowledgment that something can be done to try to buffer that area a little bit better.

MR. KERR: -- we can certainly look at the code and give you more information about that, and look at it again. And one thing you should remember is as the uses have evolved, and she even alludes to it in one of her emails, where the Algae to Omega came in. I mean, the trucks used to be there all the time when it was a Sears warehouse. Now --

MAYOR ARONSON: Right.

MR. KERR: -- as time goes by, there's fewer and fewer trucks. I mean, nobody wants semi tractor trailers, but they were there, and there were many of them there for years and years and years. So as the Funky Buddha came in and all that, there's less need for tractor trailers. So we think it's evolving into the less impact on the neighbors.

MAYOR ARONSON: Okay. But I think, you know, part of --

MR. KERR: But we --

MAYOR ARONSON: -- my understanding of an employment center is to try to encourage some clean industry or high tech, and what was being proposed by the city didn't sound like it was an employment center, so.

MR. KERR: Well, the Algae's certainly clean.

MAYOR ARONSON: The Algae is. Yeah, that's a very innovative project --

MR. KERR: And that's --

MAYOR ARONSON: -- right there.

MR. KERR: -- a pretty significant part of the building, actually --

MAYOR ARONSON: Okay.

MR. KERR: -- so -- but we'll work with you and the city on that.

MAYOR ARONSON: Okay.

CHAIR CASTRO: Just --

MAYOR ARONSON: Thank you.

CHAIR CASTRO: -- real quick, I've been to breweries. Breweries are very clean. Trust me.

MR. KERR: Yes.

CHAIR CASTRO: Or I wouldn't be drinking beer. Having said that, I was raised in the area. I was trying to meet Ms. Boisvenue out there on a Friday afternoon to go walk through the site. Unfortunately, one of my dogs became very ill and actually passed away and I'd been up all night, and I just said, look, I'm not ready for this, so I had to cancel the meeting. However, I did go do some research. And I know it was a Sears a

long, long, long time. I mean, I won't tell you when I was born, but I'm like you, when I was a kid that was there.

MR. KERR: Yeah.

CHAIR CASTRO: Also, the Dixie corridor, as most people will recall if you're as old as we are, was commercially designated. It wasn't considered a residential corridor.

MR. KERR: Correct.

CHAIR CASTRO: Having said that, I was a little surprised at the Google map. And I'm going to take exception to this, since some of the people -- and I haven't had a chance to chat with Suzanne, so I'm calling her out, and I apologize for that in advance. I was a little shocked by how close the residential buildings were to the property line. In other words, I'm guessing the city had a five foot setback, and some of those apartment buildings back there, that's all they gave, was five feet.

And they're positioned a little strange on the property anyway. That's not my problem. That's Oakland Park's issue. But I found it a little astounding that now we want the other property owner -- and I don't care if it's commercial or residence or anything -- to start putting up a bigger buffer, when their buildings are a hundred feet away from the property line. And, yes, there'll be backing in trucks. I get all that. But I was a little surprised. The other thing I think is important, and I had to ask Barbara Boy this, because this was a little confusing to me with this employment center, what Oakland Park gets back is that square footage, acreage, whatever the terminology is, back to commercial for their plan, I understand, that they can use elsewhere in the city.

MR. KERR: Correct.

CHAIR CASTRO: So basically they're substituting one commercial use for a different named commercial use so that it's better for the city, that they can then put that someplace else.

MR. KERR: Correct. Yes.

CHAIR CASTRO: So I think that was an important thing. And I think once Suzanne understood that, she, you know, was definitely what was good for the city is what she's shooting for.

MR. KERR: Right.

CHAIR CASTRO: And that was a good thing. But I do want to, you know, emphasize I - - I don't mind piling on if somebody deserves it, but in this case, I was a little surprised that the residential properties were up that close to a property line, to be honest with you. I don't know who did them 20 years ago, 40 years ago. I thought that was poor

planning by whoever did it, because that's always been a commercial site.

MR. KERR: Right.

CHAIR CASTRO: And I would have never approved putting a residential building that close to a property line on a commercial site. I just thought that was -- on a site plan view, that was a little strange. So I just wanted to put that on the record.

MR. KERR: Okay.

CHAIR CASTRO: Yes, Ms. Graham.

MS. GRAHAM: Thank you, Madam Chair. In looking at the backup, 148.2 acres, and yet the open area, recreation or open space is only the 5.47 acres.

MR. KERR: That's the minimum, I believe.

MS. GRAHAM: Right. I know that's the minimum.

MR. KERR: Yeah.

MS. GRAHAM: But, I mean, the minimum is the worst that it could be. So you think you would -- does Barbara -- do you want --

MS. BOY: No. I just wanted to be --

MS. GRAHAM: Okay.

MS. BOY: -- so that I'm next in line --

MS. GRAHAM: Okay.

MS. BOY: -- in queue. I'm sorry. I just --

MS. GRAHAM: Because Oakland Park has some real flooding issues. They always have. I'm not quite sure why it's that way. I never lived there. But if you keep paving everything, there's nowhere for the water to go. And we're never going to see a site plan per se. It's simply a diagram of this corridor straddling Dixie.

And, you know, I don't think it's the best, but, you know, I don't get to vote on that. It's simply just to give you the land use amendment. But I just don't understand why you'd want to have that intense of development, especially when you're upping the commercial, and you know that they're going to want to maximize the square footage and the parking, which, again, is nothing that can be percolated for storm water. And these numbers are pretty set. I mean, unless you change them before the second

meeting, they're going to stay exactly the way they are; correct?

MR. KERR: Yes. But don't forget, we reduced the office, we reduced between the facility. We also reduced some of the square footages in there.

MS. GRAHAM: No. I went through all of them –

MR. KERR: Okay.

MS. GRAHAM: -- and compared it back and forth. But, again, it's 148 acres.

MR. KERR: Right.

MS. GRAHAM: And acre is 43,560 square feet.

MR. KERR: Correct.

MS. GRAHAM: I mean, that's a lot of land. And just to have so little set aside for the recreation, the open, I think it's really shortsighted. I mean, Madam Chair, like you said, it's shortsighted to only have five foot setback back when they built these things in the '70s or '80s, but this is really shortsighted. I -- you know, I don't agree with it, but I guess I'm going to vote yes, because if they want to make their own problems, we have to let them.

CHAIR CASTRO: Did you have a comment?

MS. BOY: Oh, I just wanted to –

CHAIR CASTRO: Your hand kept coming up and down. I wasn't sure where we were at.

MS. BOY: I just wanted to say about the open space component of this, you know, this Local Activity Center has been in place since 2004. That was when it was originally adopted. And part of what I think we try to remember when we're looking at a situation like this is it's already a redevelopment area, so there's a lot of pavement already. So this is the plan for the city.

And I know you're really familiar with this area, and I am, too, because I live nearby, but there's a great park that's existing there. So, really, as Leigh said, I just wanted to follow up that that is the minimum set aside for recreation/open space, and that's not proposed to be amended. But it is the minimum that will be serving that area, as well as the other parks that exist in Oakland Park.

CHAIR CASTRO: And I assume you're referring to Jaco Park?

MS. BOY: Pastorus.

CHAIR CASTRO: Yeah, I just this is a non, you know, what do you call it, requested commercial add, but I believe the Broward Sheriff's Office is having one of their diversity unity events there coming up, I think, this Saturday.

MS. BOY: There's a lot of events there.

CHAIR CASTRO: Okay. So I just wanted to put that out there, in case you need to go out and -- and have fun at the park. That park is actually having a big event about unity and diversity. Yes, ma'am.

MS. GRAHAM: Barbara, thank you for putting that on the record. And, again, right now, because they've taken out so many of their older building stock along that corridor, if they have any flooding, nothing is being impacted, because there's nothing there.

I mean, the problem -- when it's just empty land, whether it's pervious or impervious doesn't matter. It's just once they build all the stuff then, the water's got to go somewhere, so it's -- it's coming in their thresholds. Thank you.

CHAIR CASTRO: Mayor Aronson --

MAYOR ARONSON: Yeah.

CHAIR CASTRO: -- follow ups?

MAYOR ARONSON: I just wanted to clarify with the photograph that I mentioned with the 18-wheeler truck, that truck, I think, is coming out of the Algae Company. And the parking lot on the other side is to, I think, the two story apartment complex.

But when I was raising concerns about the buffering, the homes further to the south along that area, where the chain link fence is wide open and there's even some gaps with very limited landscaping, the homes are right abutting the fence line. So, again, I think if more can be done with some -- even some --

CHAIR CASTRO: A wall.

MAYOR ARONSON: -- greenery --

CHAIR CASTRO: A wall --

MAYOR ARONSON: -- it might help --

CHAIR CASTRO: -- yeah.

MAYOR ARONSON: -- the drainage --

CHAIR CASTRO: You -- you put up --

MAYOR ARONSON: -- problem --

CHAIR CASTRO: -- a wall --

MAYOR ARONSON: -- that --

CHAIR CASTRO: -- yeah.

MAYOR ARONSON: -- Mrs. Graham mentioned also.

CHAIR CASTRO: You're absolutely right. And I think they should put up a wall, and they probably will before they're finished. I agree.

MR. KERR: We'll look at that. And --

CHAIR CASTRO: That's a site plan --

MR. KERR: -- to Mrs. Graham's point --

CHAIR CASTRO: -- thing.

MR. KERR: -- the staff told me they'd spent \$70,000,000 on drainage in the last 70 months, so a million dollars a month. So I think they're working hard at drainage, just to give you some comfort.

CHAIR CASTRO: Would they like to move to Dania Beach? We have a lot of flooding, too, so -- a million a month is a nice average, so --

MR. KERR: Yeah.

CHAIR CASTRO: -- go, Oakland Park. Okay. Bringing it back, if there are no other questions, comments. Okay. Bring it back to the Council for action. May I have a motion?

MR. HOBBY: Move for approval.

COMMISSIONER DUBOSE: Second.

CHAIR CASTRO: We have a first and a second.

THE REPORTER: Who's the second?

CHAIR CASTRO: Right here.

THE REPORTER: Oh, thank you.

CHAIR CASTRO: First.

THE REPORTER: I got the first.

CHAIR CASTRO: Okay. All in favor? Any opposed? Hearing none, carries unanimously again.

VOTE PASSES UNANIMOUSLY.

CHAIR CASTRO: Oh, are hands going up?

MS. BOY: No, no.

CHAIR CASTRO: Okay.

MS. BOY: Not to talk to the item.

CHAIR CASTRO: Your -- his hand's going up. Thank you. Before everybody runs off.

MR. HOBBY: I'd like to -- I just -- if you'll indulge me a minute, this is -- goes back to the --

CHAIR CASTRO: What is that?

MR. HOBBY: -- TOD, and I wanted -- I didn't want to bring it up during that time, because it really --

COMMISSIONER DUBOSE: His mic is off.

MR. HOBBY: -- doesn't have to do necessarily with this. But it seems to me -- and maybe I'm looking at it the wrong way -- that when -- Oh, I'm sorry. This -- do I need to repeat what I just said?

THE REPORTER: No, sir.

MR. HOBBY: Okay. It seems to me that when we approve, or the concept of TOD is that it is a unit unto itself. And although I voted for this project, it seems to me that it's -- we may have set -- we may set sort of a bad precedent in bifurcating it.

It appears that what we've got in this case is a gated community, maybe, within a TOD and pushing everything to the north. Now, like I say, I already -- I -- it -- if -- you know,

this is a fairly small -- a small TOD, and maybe there'll be bigger ones.

Have you got any thoughts on that, in sort of separating and -- separating it out? This could be the southern part, for instance -- I'm just using this as an example -- a unit -- something unto itself. It really doesn't -- in some ways doesn't even relate to the -- to the purpose of the TOD. I'm not -- and I'm -- like I say, I voted for it. I'm just using this as an example, that if this continued on a larger scale, does it compromise the concept of the TOD?

MS. BOY: Well, a couple of things I think that are important to talk about for a transit oriented development. One is they are smaller, more compact developments, such as the, you know, Sheridan Station that we were talking about earlier, because it's served by a very high transit use, such as the Tri-Rail station.

So they are going to be the more compact areas. In the case of -- because I do want to address the specific case of Sheridan Station, the plan has always been since 2007 to just have the residential development on the south that connects to the north side development. It's always been in place.

The difference this time is this divorce, this property divorce that they were speaking of, where they just really had to separate it out legally, because I believe they had responded to the initial RFP from FDOT, and they thought that they were going to be the developers of the commercial portion and the other, the secondary residential portion of the property.

So in this case, there -- I don't really feel that there's a specific change in what it always planned to be. And that was one of the reasons why, in the backup materials, we wanted to ask them about how the connection for the actual -- when the commercial development arises on the -- on the north part of the property, how are the residents from the south part going to be able to access that, pedestrian paths and that sort of thing. Because that is really important, because you do want integrated development. So a lot of times when we're talking about mixed use overall in the Land Use Plan, oftentimes it ends up being single use within the mixed use district.

I actually -- I feel, you know, professionally, that we need to actually improve that in the plan as part of the overview of how mixed use development occurs, because we really are trying to develop these more, you know, mixed use buildings and structures, bringing them towards the transit corridor for use.

So I think that that's something we could strive for in the overview of the plan, is actually I think our mixed use categories are great, but I think they could use -- there's room for improvement to address these kind of single use things that we're -- that we're seeing.

MR. HOBBY: Okay.

MS. BOY: So that's just my –

MR. HOBBY: Thanks.

MS. BOY: -- my opinion.

OTHER BUSINESS

NEXT REGULAR SCHEDULED PLANNING COUNCIL MEETING:

CHAIR CASTRO: Okay. Meeting next month.

MS. BOY: That's why I raised my hand.

CHAIR CASTRO: Thank you.

MS. BOY: Yes. The July meeting. So, since you concluded all your business for the June meeting, there is no business for the July meeting. So if the Board takes an action, there will be no July meeting, if -- so I open that up to you.

CHAIR CASTRO: I'll hold a motion, please, I'll entertain a motion to –

MR. FURR: So moved.

COMMISSIONER DUBOSE: Second.

CHAIR CASTRO: -- cancel the July meeting. First, second. All in favor? Anybody opposed? No. Good.

VOTE PASSES UNANIMOUSLY.

CHAIR CASTRO: Everybody, happy, safe 4th of July, happy summer. Thank you.

COMMISSIONER DUBOSE: Yes, absolutely.

MS. BOY: Thank you, everyone.

(The meeting concluded at 11:42 a.m.)