

CITY OF POMPANO BEACH FLORIDA

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PLANNING AND ZONING BOARD/LOCAL
PLANNING AGENCY

November 18, 2019
Monday

City Commission Chambers

6:00 P.M.

MINUTES

A. Call to order by the Chairman of the Board, Mr. Fred Stacer.

B. ROLL CALL:

Fred Stacer
Anne Marie Growbleski
Carla Coleman
Darlene Smith
Tobi Aycock *for Richard Klosiewicz*
Willie Miller
Molly Moor *for Joan Kovac*

Also in Attendance:

Pamela McCleod, Assistant Planner
James Saunders, Assistant City Attorney
Jae Eun Kim, Planner
Jennifer Gomez, Assistant Development Services Director
Jean Dolan, Principal Planner
Maggie Barszewski, Planner
Robert Lochrie
Abby Sutton
Fred Antoni
Matthew Scott
Steve Brant
James McLaughlin
Graham Penn
Jonathan Karsfeld

Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. // PM

C. MOMENT OF SILENCE

The Board observed a moment of silence.

D. APPROVAL OF THE MINUTES:

Approval of the minutes of the meeting on October 23, 2019.

MOTION by Carla Coleman and second by Darlene Smith to approve the minutes of the October 23, 2019 meeting. All those voted in favor.

E. INDIVIDUALS TESTIFYING PLACED UNDER OATH

City staff and members of the public testifying before the Board at the meeting were placed under oath by Pamela McCleod, Assistant Planner and Notary Public in the State of Florida.

F. PLAT

**1. BW ATLANTIC ANDREWS, LLC/ WAWA ATLANTIC BOULEVARD
AND ANDREWS AVENUE PLAT
Planning and Zoning No. 18-14000012
Commission District: 4**

Consideration of the PLAT submitted by **MATTHEW SCOTT** on behalf of **BW ATLANTIC ANDREWS, LLC** that restricts the property to a convenience store/service station use with a maximum of 16 fuel positions. The subject property consists of 2.14 acres and is currently vacant and unplatted. All parcels are legally defined as follows:

AKA: West Atlantic Boulevard
ZONED: I-1 (General Industrial)
STAFF CONTACT: Maggie Barszewski, AICP (954) 786-7921

Ms. Maggie Barszewski, Planner, presented herself to the Board. She explained that the proposed plat is in order to allow a Wawa convenience store and gas station. She stated that the property is zoned I-1 and vacant. A site plan was approved in April 2019. She explained that since the submission of the staff report, since both recommended conditions of approval have been satisfied, they may be omitted by the Board and that staff recommends approval.

Mr. Stacer commented that the Development Order for the site plan did not include a requirement for 18' trees but that these need to be included in the permit set.

Mr. Matthew Scott (14 SE 4th Street, Boca Raton) presented himself as the applicant's attorney. He stated that he recalls the condition and that it must have been an oversight that he is happy to work out with staff since their intention has always been to comply and install the 18' oak trees. He offered to provide a project presentation to the Board if they wished.

Mr. Stacer asked if anyone in the audience wished to speak. There were none.

MOTION was made by Darlene Smith and seconded by Willie Miller to recommend approval of the Plat PZ# 18-14000012. All voted in favor of the motion.

2. HUS GROUP, LLC/ HUS GROUP PLAT
Planning and Zoning No. 18-14000011
Commission District: 5

Consideration of the PLAT submitted by **JAMES MCLAUGHLIN** on behalf of **HUS GROUP, LLC** that restricts the property to a maximum of 41 dwelling units for parcel A. The subject property consists of 1.0852 acres and is currently vacant and unplatted. All parcels are legally defined as follows:

AKA: 700 NW 31 Avenue
ZONED: B-3 (General Business)
STAFF CONTACT: Maggie Barszewski, AICP (954) 786-7921

Ms. Barszewski explained that this plat application is for the same project as the flex unit allocation that was just heard out of order. She stated that the plat proposes to restrict the property to 41 garden style apartments and has been reviewed by the City DRC.

Development Services staff recommends approval of this Plat with the following conditions to be satisfied prior to the City Commission hearing:

1. The applicant must show how the separate easement instrument requirements will be accommodated for ATT, Comcast and FPL;
2. The Plat cover page must be signed and sealed by the surveyor and signed by all owners; and
3. A Title Certificate must be submitted that is less than 6 months old and is made out to the City of Pompano Beach.

Mr. James McLaughlin (1700 NW 64 Street, Fort Lauderdale) presented himself to the Board. He stated that they have no objections to any conditions for the plat or the flex allocation.

Mr. Stacer asked if anyone in the audience wished to speak. There were none.

MOTION was made by Anne Marie Groblewski and seconded by Darlene Smith to recommend approval of the Plat PZ# 18-14000011 per the 3 conditions as described in the staff report. All voted in favor of the motion.

G. FLEX

3. HUS GROUP, LLC/ HUS GROUP FLEX
Planning and Zoning No. 18-05000008
Commission District: 5

Consideration of the FLEXIBILITY UNIT request submitted by **STEPHEN H. BRANDT** on behalf of **HUS GROUP, LLC**, requesting Flex allocation approval for a 41-unit affordable rental apartment community to be located on a 1.1-acre property that has a Commercial Land Use designation. All parcels are legally defined as follows:

AKA: 700 NW 31 Avenue
ZONED: B-3 (General Business)
STAFF CONTACT: Maggie Barszewski, AICP (954) 786-7921

Ms. Barszewski explained that 41 flex units are being requested in order to develop the property and that a conceptual site plan was submitted showing a variation of 3 and 4-story buildings. She stated that the applicant intends to meet the affordable housing requirement. She stated that the city has 750 unallocated flex units and one 58-unit request pending. Should this request and the other pending request be granted, 651 flex units would remain.

Given the information provided to the Board, as the finders of fact, the Development Services Department provides the following recommendation, and alternative motions, which may be revised or modified at the Board's discretion:

Alternative Motion I

Recommend approval of the Flex Allocation request subject to the following conditions:

1. Prior to placement on a City Commission Agenda, the applicant shall provide a Declaration of Restrictive Covenant requiring that 140 units shall have affordability be maintained for 15 years per County Policy 2.16.3
2. Prior to placement on a City Commission Agenda, the applicant shall provide a Declaration of Restrictive Covenant requiring the affordability of units be maintained for 30 years per Section 154.61(E)(3)(c)5.
3. The parcel must be rezoned to allow a maximum of 22.1 units per acre prior to building permit issuance;
4. Any future site plan submitted for this project shall be substantially conforming to the submitted conceptual site plan; and
5. The allocation of the approved flex units shall become null and void upon two years from the resolution's approval date.

Alternative Motion II

Table this application for additional information as requested by the Board.

Alternative Motion III

Recommend denial as the Board finds that the use of the reserve and flexibility units will not be consistent with Section 154.61(D) of the Code.

Staff recommends Alternative Motion I.

Ms. Smith asked if there has been any community outreach, particularly to Collier City.

Ms. Barszewski responded that the applicant can respond to that.

Ms. Aycock asked if the applicant will seek to change the B-3 zoning.

Ms. Barszewski responded that the zoning allows the proposed use.

Ms. Aycock asked if there is any commercial component to the project.

Ms. Barszewski responded that the project is strictly residential.

Mr. Steve Brant (5010 N. Federal Highway, Lighthouse Point) presented himself to the Board as the project architect. He stated that they are committed to providing workforce housing. He clarified that this is only a 2 and 3 story project with lower heights and buffers towards the existing single-family homes to the east.

Ms. Smith asked if there has been any community outreach.

Mr. Brant responded that they have not yet because they wanted to be sure to get flex unit approval, but that they will meet with the community during the site plan process.

Mr. Stacer suggested that the applicant either meet with the neighborhood or discuss this application with the Vice Mayor before the Commission hearing.

Mr. Brant responded that they can meet with the neighborhood.

Mr. Stacer asked if there is a lot between their site and the single-family homes.

Mr. Brant responded that they own all the way abutting homes. He pointed out that the B-3 zoning, however, extends to cover those first single-family homes that are adjacent.

Mr. Stacer asked if anyone from the audience wished to speak. There were none.

MOTION was made by Carla Coleman and seconded by Willie Miller to recommend approval of the Flex PZ# 18-05000008 subject to the 5 conditions as described in the staff report. All voted in favor of the motion.

H. ABANDONMENT

4. AMP-IV HIDDEN HARBOUR, LLC/ HIDDEN HARBOUR ROW VACATION
Planning and Zoning No. 19-18000003
Commission District: 1

Consideration of the RIGHT OF WAY VACATION submitted by **ANDREW STURNER** on behalf of **AMP-IV HIDDEN HARBOUR, LLC**, is requesting to abandon portions of two sidewalks included within the right-of-way located at NE 23 Avenue; and to abandon two small triangular parcels within the previously abandoned NE 15th Street right-of-way to enable the 'Harborside at Hidden Harbour' Project's structural supports to be located within the area to be abandoned; and to provide a public easement. All parcels are legally defined as follows:

AKA: 1500 N. Federal Highway
ZONED: B-3 (General Business)/PCD & M-1/PCD
(Currently in the rezoning process to PD-I)
STAFF CONTACT: Maggie Barszewski, AICP (954) 786-7921

Ms. Jean Dolan, Principal Planner, presented herself to the Board. She explained that some right-of-way needs to be abandoned in order for the applicant to effectuate their PD-I. The proposal is to abandon sidewalks and replace them with easements. There are also two small clean-up aspects included in this request. She reminded the Board that the project includes walkways connecting the buildings and parking garages and stated that the City Attorney determined that these portions of land need to be removed from the public right-of-way and become private property. She explained that the circulation will remain the same. She then gave a summary of Hidden Harbor's reviews and approvals and explained that staff is attempting to bring several matters related to the project to the December 10th Commission meeting so that they can match up with the 2nd reading of the PD-I.

Given the information provided to the Board, staff provides the following alternative motions for the Board's review.

I- Approve with conditions

Recommend approval to the City Commission; however it will not be placed on a City Commission agenda until the following conditions are met:

1. A public access easement over the subject-sidewalk areas is retained in perpetuity that satisfies the Development Services Department; and
2. A utility easement for possible assets per the Utility Department's discretion, or the provision of an agreement to relocate of any assets the Utility Department deems necessary; and

3. All other positive comments are received from each service provider, or until 60 days from the date of this recommendation, whichever occurs first.

(Ms. Dolan commented that the Utility Department has since determined that they have no concerns since all utilities are within the street.)

II- Table

Table this abandonment request to allow time for the Applicant to address any objections raised by the affected parties or to get additional information.

III- Denial

Recommend denial to the City Commission as the Board finds that the easement serves a public purpose and should not be abandoned.

Staff recommends alternative motion number I.

Ms. Coleman asked if there are no private utility easements in the area.

Ms. Dolan responded that there are none currently because it is right-of-way.

Ms. Coleman stated that if there are easements, the language in the staff condition regarding 60 days should be removed since this project is so complex and important.

Ms. Dolan responded that both staff and the applicant are diligently seeking any comments from the service providers and that it is rare to not get responses before going to the Commission.

Ms. Growblewski asked what happens if this abandonment is approved but the overall project is not approved.

Ms. Dolan responded that they would have to redesign the project.

Mr. Stacer clarified that the Board is only a recommending body and that ultimately the Commission would have to approve both the abandonment and the rezoning.

Ms. Coleman asked if the abandonment would be permanent even if the overall project for whatever reason failed to happen.

Ms. Dolan responded that this abandonment matter wouldn't have the chance for its required 2nd reading until January.

Mr. Graham Penn (200 S. Biscayne Boulevard, Miami) presented himself as the applicant's attorney. He says that the request in essence is to remove the dedication of the sidewalk as public ROW and to place an easement in its place. He provided the Board a powerpoint presentation and began by stating that if they had known from the outset that this abandonment was going to be required they would have made the request when they were previously in front of the Board. He explained that the license agreement is needed

for the 10' wide pedestrian bridge that spans the two buildings and that this requested abandonment is needed for the pedestrian sidewalks that pass through arcades underneath the pedestrian bridge. He stated that there will not be any utilities in this abandoned area. He stated that they have already submitted to the City Attorney a draft of this public access easement. He pointed out that the two small areas that will be cleaned-up are leftover from when 15th Street was previously vacated.

Mr. Stacer commented that the survey shows 24' and not 35'.

Mr. Penn responded that the surveyor has made corrections and clarified that the word version of the legal description that will govern the agreement will state 35'.

Mr. Stacer asked if the building takes up the entire area that is subject to this abandonment.

Mr. Penn responded that the edge of the description is the subterranean edge of the footer, so the building might be slightly farther back but is basically the same.

Mr. Stacer asked if anyone from the audience wished to speak.

Mr. Jonathan Karsfeld (1470 N Federal Highway) presented himself as managing partner of an adjacent property. He stated that he is challenged to understand why the City is giving this land away in both the abandonment and then also the right to build above the right-of-way. He says that the density of the project is a huge issue. He how the calculations for the allowable density for the project have been determined.

Mr. Penn responded that it is just the airspace because the ground space is being dedicated back to the City through a public easement. He stated that there are units in the airspace above.

Mr. Karsfeld asked if it has been determined that units can go above public right-of-way.

Mr. Penn responded that the license agreement will be considered by the Commission at their upcoming meeting.

Mr. Karsfeld stated that he is against this because of the density issue.

Ms. Coleman clarified that the request before the Board today is only for the abandonment and not the air rights issue.

Mr. James Saunders, Assistant City Attorney confirmed this.

Mr. Stacer commented that page 13 of the PD-I indicates that there would be no ROW vacations.

Mr. Penn responded that this was written before the City Attorney determined that they needed to obtain this abandonment. He stated that they can correct this before 2nd reading.

Mr. Saunders confirmed this.

Mr. Stacer commented that the PD-I language also speaks to “limited structures in the right-of-way”, but that 13,000 square feet of building space is not “limited”.

Mr. Penn responded that this language intends to relate to limited structures at the ground level, which refer to the columns.

Mr. Stacer referred to the review standards for ROW abandonments and stated that he failed to see how this request satisfied either of the standards, since it is and will be used by the public and because it’s not supported by the Comprehensive Plan. He stated again that he thinks it is a terrible precedent to allow living space above public rights-of-way.

Ms. Moor says that she appreciates Mr. Stacer’s comments and agrees with them.

Mr. Saunders responded to counsel’s earlier statements and commented that he does not believe that this request is being proposed by the City’s attorney’s office.

Mr. Penn clarified that he does not mean to imply that the City Attorney is advocating for this request, but that it was their conclusion that the best way to proceed, should the City deem to approve it, would be to vacate the portion where units would be located and provide an easement in return along the walkway.

Mr. Stacer commented that the City should look to avoid creating a tunnel effect, and stated that he brought this up during the site plan hearing.

MOTION was made by Willie Miller and seconded by Darlene Smith to recommend approval of the Abandonment PZ# 19-18000003 per the 3 conditions as described in the staff report. All those voted in favor with the exception of Ann Marie Growblewski, Molly Moor, and Fred Stacer; therefore, the motion passed by a vote of 4 to 3.

MOTION by Carla Coleman and second by Molly Moor to heard agenda item #5 out of order. All those voted in favor.

I. TEXT AMENDMENTS

5. JOHN KNOX VILLAGE OF FLORIDA, INC./ TEXT AMENDMENTS
TO TABLE 155.3507.E
Planning and Zoning No. 19-81000001
Commission District: 5

Consideration of the TEXT AMENDMENTS submitted by **THOMAS L. PRICE** on behalf of **JOHN KNOX VILLAGE**, is requesting to amend the maximum building height from 105 feet to 250 feet in TABLE 155.3507. E:

Intensity and Dimensional Standards for the Local Activity Center (LAC) zoning district. All parcels are legally defined as follows:

AKA: 651 SW 6 Street

ZONED: LAC (Local Activity Center)

STAFF CONTACT: Jae Eun Kim, PLA (954) 545-7778

Ms. Jae Eun Kim, Planner, presented herself to the Board. She explained that the site is the only Local Activity Center - zoned property and that the applicant is requesting a text amendment to raise the maximum building height to 250 feet. This would make any existing building in excess of the current maximum of 105 feet conforming structures.

Ms. Growblewski asked what the current tallest non-conforming build there is.

Ms. Kim responded that there are several buildings that are around 150 to 160 feet tall.

Ms. Growblewski asked where the 250' maximum is coming from.

Ms. Kim responded that they would like future development to be able to be this tall.

Mr. Robert Lochrie (200 E Broward Blvd, Fort Lauderdale) presented himself as the applicant's attorney. He explained that John Knox Village is currently undergoing a master planning process and that they want to make sure that they have as much open space as possible as they continue to develop the process. He noted that any high-rise buildings would still need FAA and Board approval.

Ms. Moor asked what the minimum age requirement is to reside at John Knox Village.

Mr. Lochrie responded that he is not certain but he believes it is 55.

Mr. Stacer asked if this request is for strictly for the height requirement,

Mr. Lochrie responded in the affirmative.

Mr. Stacer asked if a 250' tall building would have to be at least 75' from the right-of-way.

Mr. Lochrie responded that they would not object to such a standard.

Mr. Stacer commented that all of the high-rise buildings at the Live! development will be at least 300' from Racetrack Road. He asked if the applicant would object to a restriction that any building over 200' tall be more than 75' from the road.

Mr. Lochrie responded that they wouldn't object to that for buildings over 200' tall.

Mr. Stacer suggested that any building 200' tall or higher would need to be at least 200' from the right-of-way.

Mr. Lochrie responded that they would agree to that condition.

Ms. Coleman asked about the current setback requirements for the LAC zoning district.

Mr. Stacer responded that this would be an additional requirement. He commented that there is a lot of land in John Knox Village. He noted that this will still need to go to the Commission so there is time to investigate if this standard would cause some sort of conflict.

Mr. Stacer asked if anyone in the audience wished to speak. There were none.

Ms. Moor commented that she is concerned about having seniors safely exit a building that could be over 20-stories tall.

Mr. Lochrie responded that that even though the height might increase, the floor count could actually be less than existing buildings because the floor-to-floor dimension is higher. He added that the high-rise units are primarily independent living.

Ms. Moor reiterated her concerns with senior residents evacuating down so many flights of stairs.

Mr. Stacer commented that there are code requirements that provide for large staging areas for emergencies and that firefighters would carry down residents if they were not able to climb down themselves. He stated that any of these buildings would be heavy fire-sprinkled.

MOTION was made by Carla Coleman and seconded by Darlene Smith to recommend approval of the Text Amendment PZ# 19-81000001 with one Board condition that any building 200' or taller must be setback at least 200' from the right-of-way. All those voted in favor with the exception of Molly Moor; therefore the motion passed.

MOTION by Carla Coleman and second by Darlene Smith to hear agenda item #6 out of order. All those voted in favor.

J. MAJOR SITE PLAN

**6. CITY OF POMPANO BEACH / YOUTH SPORTS COMPLEX
Planning and Zoning No. 19-12000022
Commission District: 3**

Consideration of the MAJOR SITE PLAN submitted by **ABBY SUTTON** on behalf of the **CITY OF POMPANO BEACH** in order to construct a new club house and multi-purpose sports fields with associated parking and landscaping. The total footprint of the proposed buildings is 8,758 square feet on a 454,016 sq. ft. (10.42 acre) site. The total lot coverage is 1.93%. All parcels are legally defined as follows:

AKA: 700 NE 10 Street
ZONED: CF (Community Facilities)
STAFF: Jae Eun Kim, PLA (954) 545-7778

Ms. Jae Eun Kim, Planner, stated that the proposal is to construct a new club house and multi-purpose sports fields with associated parking and landscaping and that this is a G.O. Bond project. The Department recommends approval of the Major Site Plan subject to the following comments and conditions:

1. Revise the plans to address the following comments or obtain relief:
 - A. All electrical secondary feeder lines and other utility lines located on the development site and/or along the public right-of-way fronting the development site shall be placed underground (§ 155.5509).
 - B. A type C perimeter buffer shall be provided along off-street surface parking areas located adjacent to single-family residential development in accordance with § 155.5203. F, Perimeter Buffers (§ 155.5604).
 - C. The building orientation shall be revised to 1) front onto a street or plaza, 2) place the primary entrance facing the street from which it derives its address, and 3) be configured with the long axis of the building parallel to a street (§ 155.5602. C. 2)
 - D. Street-facing front building facades that are greater than 60 feet wide shall be articulated with wall offsets that are at least one foot deep, at least ten feet wide and no more than 10 feet apart (§ 155.5602. C. 5. a.).
 - E. The required landscape materials shall be provided on both sides of fence or wall (§ 155.5203. F.).
2. Revise the enclosure detail of the commercial container to include the primary material or color of the enclosure and opaque gates (§ 155.5301. C.).
3. Provide a typical cross section of the landscape buffer as proposed for the property perimeters and ensure that the buffer along the south property line is heavily landscaped to reflect the local residents' concerns.
4. Provide the overall height of the proposed light poles (§ 155.5401).
5. Provide a product cut sheet for the bike racks (§155.5102. L).
6. Obtain an easement agreement from the utility companies for fence and vehicular use areas proposed to be located in the recorded easement shown on the survey.
7. Sustainable development points stated in the applicant's response letter must be revised to achieve at least 12 valid points listed in TABLE 155.5802, Sustainable Development Options and Points.
8. Ensure that plans are revised to match with the vehicular access along NE 5 Avenue as shown on the Site Plan.
9. Landscape and Irrigation Plans must comply with Zoning Code requirements as verified by the City's Urban Forestry Division.

Ms. Kim added that the applicant is seeking relief as noted in staff condition #1 through the Public Purpose Adjustment process, which grants the Development Services Director the right to waive certain requirements for public projects.

Ms. Coleman asked if this project would have come to the Board with so many conditions if it were a private sector project.

Ms. Kim responded that these are comments that can definitely be addressed during permit review.

Ms. Coleman responded that she has concerns with the Board being asked to grant approval without all of these details being worked out. She asked, for example, how tall the light poles will be.

Ms. Kim responded that City property is exempt from the height limitations, but that staff will consider very carefully these details when they are submitted.

Mr. Miller commented that there are residential homes located on the south of the proposed project and asked what kind of opposition the City has faced.

Ms. Kim responded that she believes the City reached out when the G.O. Bond projects were initially presented to the public.

Mr. Stacer commented that he also has a few concerns but would like to hear the applicant's presentation. He did ask for clarification about staff's condition #1.

Ms. Kim responded that the applicant's design team has submitted a request to the Director of Development Services requesting a Public Purpose Adjustment. She stated that staff has drafted a letter for the Director to review but that it has not yet been approved.

Mr. Stacer also commented that the plans did not include a photometric for the fields and that this is a very important aspect.

Ms. Abby Sutton (301 E. Atlantic Boulevard, Pompano Beach) presented herself to the Board. She stated that the site is the former Elks Lodge and is across from the Sample-McDougald House and will have four artificial turf sports fields. She stated that the parking has been designed to lead pedestrians through the clubhouse and to the fields, and that no headlights will shine into the abutting homes. She says there were multiple public meetings before the G.O. Bonds were approved by voters and that their input was incorporated into this design. There will be more parking than what is required in order to accommodate growing demand and large events. There will be landscape buffers along the East and South sides of the lot, as well as a fence that will match the Sample-McDougald House.

Mr. Miller asked if there was no opposition from the public.

Ms. Sutton responded that not everyone was in agreement but that they held two public meetings and that participants voted for this submitted design.

Ms. Growblewski asked if there is a certain time that the field lights would have to be turned off.

Ms. Sutton responded that it is up to the Parks and Recreation Department, but commented that the field lights at North Pompano Park are out by 11pm.

Ms. Moor stated that she attended the community meeting and there are several things that were discussed that are not reflected in the plans. Specifically she mentioned that the number of restrooms provided are not adequate for large tournaments. She asked if more facilities could be added or if there are provisions for temporary facilities for events.

Ms. Sutton responded that there might be opportunities to either open the locker room facilities to the public for large events or move some of the facilities into the public side on the plans.

Ms. Coleman reiterated the importance of the height of the light poles and that she is not ready to vote to approve these plans. She added that there is no pedestrian crosswalks or connection for shared parking for the Sample-McDougald House. She also stated that she has problems with the aspects of the first staff condition being removed from the project design, especially regarding the required landscape material. She stated that this project will hugely impact this neighborhood and that there are too many unanswered questions.

Ms. Sutton says that there is an existing crosswalk across 5th Street and pedestrians will be encouraged to cross there. She stated that the parking lot light poles will be around 18' tall and that they have worked closely with sports lighting experts to install new-technology lighting for the fields. She stated that she believes that the park hours will be similar to other City parks and close by 11pm.

Ms. Coleman objected to not knowing the locations of the light poles or how their light would spread.

Ms. Sutton responded that the light poles would either be 30' or up to 50' tall.

Ms. Coleman stated that pedestrian-friendly, and not just car-friendly, lighting should be installed in the parking lot.

Ms. Sutton responded that the parking lot design is very pedestrian-friendly.

Mr. Stacer reiterated that it is very problematic that not even conceptual photometric plans have been submitted for the Board's review. He asked for some details of what a Type C buffer requires.

Ms. Sutton responded that this is only required for vehicular use areas abutting a residential district and that it consists of an 8' masonry wall with landscaping on both sides. She explained that they are seeking relief from the masonry wall through the Public Purpose Adjustment and will create a more dense landscape buffer and install a chain link fence. She stated that the G.O. Bond budget doesn't allow for the required wall.

Mr. Stacer asked if the wall was discussed in the public meetings.

Ms. Sutton responded that it was not.

Mr. Stacer commented that there used to be a gap between fencing when this property was used as the Elk's Lodge.

Ms. Sutton responded that providing the fence right on the property line will allow for more landscaping.

Ms. Stacer asked if the utility easement begins on the south property line.

Ms. Sutton responded in the affirmative, explained that it spans 6' north and south of the property line and that there are overhead utility poles. She stated that they will provide gates in the fencing to provide for access.

Mr. Stacer asked if the utility poles are on the city's side.

Ms. Sutton responded that they are slightly north of the property line.

Mr. Stacer stated that there should not be any gap between the fencing on the properties.

Ms. Aycock asked if the applicant can elaborate on staff condition number eight.

Ms. Sutton responded that they have made that revision to the driveway location.

Ms. Aycock asked why the applicant is requesting relief in order to not bury the powerlines, as is required for all new development in the City.

Ms. Sutton responded that this is not possible with the G.O. Bond budget and required timeline.

Ms. Aycock commented that she thinks the orientation of the building overall works better for the site and in relation to the Sample-McDougald House.

Mr. Stacer asked if anyone in the audience wished to speak. There were none.

Ms. Coleman stated that the Board has a responsibility to the City but also to those residents closest to the proposed fields. She stated that she cannot in good conscience vote to approve this site plan given the missing lighting information.

MOTION by Carla Coleman and second by Molly Moor to postpone this application until details of the lighting plan as well as matters relating to the first staff condition are provided for the Board to review.

Discussion:

Mr. Stacer asked what the practical implications of a postponement would be.

Mr. Fred Antoni presented himself as the project manager. He stated that they need to be ready for construction by September 2021. He stated that they would prefer to not be

postponed but that they can accept a deferral if required. He stated that a contractor is already on-board working with the design team.

Mr. Miller asked if the applicant would be able to provide a lighting plan if the item is postponed.

Ms. Sutton responded that they would. She stated that they have been studying various products and expressed that new technology lighting is very impressive.

Ms. Coleman reiterated that she cannot in good conscious vote to approve this project with so many “ifs” in it. She stated that there is not enough information for her to make a decision.

Ms. Smith commented that she isn’t sure there is an issue with residents because there have been community meetings, yet there are no residents present at this hearing.

Ms. Coleman responded because they may not know what questions to be asking right now. She was clear that any Board members who don’t have the same concerns that she does should vote against this motion.

Mr. Miller commented that time and money are limited since this is a G.O. Bond project, and so the Board should trust and verify later so that the project can move forward now.

Ms. Coleman commented that this project would not return to the Board.

Mr. Stacer commented that while the lighting is a major issue, what he is more nervous about is all of the factors listed in staff condition one potentially being waived.

Vote:

All those voted in favor of the motion with the exception of Toby Aycock, Willie Miller, and Darlene Smith; therefore, the motion passed to postpone the item by a vote of 4 to 3.

K. OTHER BUSINESS

7. Chapter 154 Text Amendments-Create Administrative Approval for Flex Units Single-Family Homes and Duplex Units

Ms. Dolan, Principal Planner, reminded the Board of recent text amendments presented to them regarding flex units and explained that staff decided to return to the Board before going to the City Commission. She handed out to the Board a simplified version of the proposed text that she worked on with Mr. Saunders and explained that this would create an administrative process for single-family and duplex units when allocating flex units, noting that this process would happen very infrequently. She noted that a requirement has been added that would limit this to no more than four contiguous lots at a time. She noted some B-2 properties on 27th Avenue with interest in developing single-family homes.

Ms. Coleman asked what the appeal process is if the request is denied.

Ms. Dolan responded that any appeal of the Development Services Director goes to the City Commission.

Ms. Coleman asked if it would make sense for an appeal of this decision to come to the Board.

Ms. Dolan responded that the City Commission is who ultimately decides flex requests typically.

Mr. Stacer asked if anyone in the audience wished to speak. There were none.

MOTION was made by Carla Coleman and seconded by Molly Moor to recommend approval of the Text Amendment to Chapter 154 as described in the staff report. All voted in favor of the motion.

L. AUDIENCE TO BE HEARD

There was no one who wished to speak.

M. BOARD MEMBERS DISCUSSION

Ms. Coleman related to the Board a recent conference she was able to attend thanks to Mr. Stacer giving her his place. She noted that much of the discussion was about infrastructure, such as managing three-dimensional rights-of-way, accommodations for autonomous vehicles, noise issues from drones, and shared mobility. She suggested that the City reconsider how it is planning for the future. She also commented that while she is aware that staff is researching notice requirements from other jurisdictions, she asked about what kind of public notice was required for the site plan for the park that was heard tonight and found out that there was none.

Ms. Smith stated that her experience on the Board leads her to believe that the City isn't doing a good enough job with how public notice is conducted, either in who is noticed or in how much time is given.

Ms. Coleman commented that one of the major themes discussed at this conference was the importance of bringing together stakeholders to better understand the changes taking place.

Mr. Miller commented that he is hopeful that the project they reviewed tonight in Collier City will bring positive change to all of the vacant lots, especially in how commercial trucks use the space. He also feels that it is important to notify the Collier City Homeowners Association of the impending changes.

Mr. Stacer stated that he is excited about the projects on next month's agenda requesting flex units in Collier City. He also asked what is the schedule to discuss mixed use standards.

Ms. Jennifer Gomez, Assistant Development Services Director, responded that it will probably be in January.

Mr. Stacer commented on discussions about charter schools at the City Commission and stated that this may be something that this Board should start thinking about. He commented that with the near completion of several large apartment projects that will tally around 1,000 units, it might soon be time to conduct a traffic study to see if the City is managing the extra traffic well.

Ms. Growblewski asked if the Board can request that the studies be done during peak season as opposed to just having a statistical modification done that simulates peak season.

Mr. Stacer responded that the only downside to that would be that it likely wouldn't be possible to conduct it until 2021.

N. REPORTS BY STAFF

8. Comprehensive Plan – Future Land Use Element: Monthly Reporting Requirement

Mr. Stacer commented on the volume of building permits. He requested a year-over-year analysis also be provided to the Board. He also asked when the City would need to start thinking about getting more flex units.

Ms. Dolan responded that once a city is below 500 Flex Units they can request Redevelopment Units, which are different.

Mr. Stacer asked what reporting will be done to the Commission for the G.O. Bond projects.

Ms. Gomez responded that the Capital Improvement program and the public information office would provide this information.

Mr. Stacer stated that once construction is underway he would like to have some sort of regular reporting.

Ms. Gomez corrected an earlier statement made and noted the appeals of decisions made by the Director of Development Services are mostly made to the Zoning Board of Appeals.

O. ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 8:27pm

Fred Stacer
Chair

DRAFT