

**REGULAR MEETING OF THE CITY COUNCIL  
PLANTATION, FLORIDA**

**January 13, 2016**

The meeting was called to order by Councilmember Chris Zimmerman, President of the City Council.

1. Roll Call by City Clerk:

Councilmember:	Ron Jacobs Robert A. Levy Lynn Stoner Peter S. Tingom Chris P. Zimmerman
Mayor:	Diane Veltri Bendekovic
City Attorney:	Donald Lunny
City Clerk:	Susan K. Slattery

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2. Opening remarks were made by Mayor Bendekovic.

The Pledge of Allegiance followed.

3. The minutes of the meetings of December 9, 2015 and December 16, 2015, were approved as presented.

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4. **ITEMS SUBMITTED BY THE MAYOR**

Sharon Kent, Parks and Recreation Assistant Director made the following announcements:

- Share a Pony – 1/18/16 – Equestrian Center 9 a.m. – 4 p.m.
- Doggie Palooza – 1/30/16 - Happy Tails Dog Park 10 a.m. – 3 p.m.
- Martin Luther King Celebration – 1/17/16 – United Methodist Church - 3 pm
- Broward County Property Appraiser – Saturday office hours on January 9, February 20, April 30, August 27, and September 10.
- Farmers Market every Saturday 8am – 2pm at Volunteer Park

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## CONSENT AGENDA

5. Request for authorization to issue a purchase order to Heavy Duty Lift & Equipment Inc., for the replacement of "Mobile Lifting Jacks" in the amount of \$30,168.00. (Fire Department - Budgeted Item)
6. Request to approve the Policy RENEWAL 2016/2017 with the Hartford Steam Boiler Insurance Company (Budgeted - Risk Management).
7. Request to approve a purchase order to Plantation Ford in the amount of \$351,106.63 for various Ford Trucks and Vans (Budgeted Item- FD, PW, FI, and UT).
8. Request for authorization to award an "Annual Contract for Maintenance of the City's CCTV Equipment/System" to Control Communications, Inc. for an initial one-year period with the option to renew for four (4) additional one-year periods. (Budgeted-Utilities Department)
9. Plantation Community Center ITB 063-15 - Request to award the contract to West Construction Inc.
10. Request to approve the Evaluation Committee's ranking of responses for a five-year market demand and future development evaluation for the Gateway Development District with emphasis on Plantation General Hospital (RFQ 069-15).
11. Request to approve the Evaluation Committee's ranking of responses for analyzing specific properties in the Midtown District (RFQ 070-15).
12. **Resolution #12208**  
**RESOLUTION** assessing a lien on 391 NW 134 Avenue for the cost to the City of Plantation of its mowing and clearing. (Kae Robinson, the EST c/o Richard Robinson).
13. **Resolution #12209**  
**RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 10, 2015 through January 06, 2016 for the Plantation Gateway Development District.
14. **Resolution #12210**  
**RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 10, 2015 through January 06, 2016 for the Plantation Midtown Development District.
15. **Resolution #12211**  
**RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 10, 2015 through January 06, 2016.
16. **Resolution #12212**  
**RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 10, 2015 through January 06, 2016 for the City of Plantation's Community Redevelopment Agency.

***Motion by Councilmember Tingom, seconded by Councilmember Jacobs, to approve the Consent Agenda as presented. Motion carried on the following roll call vote:***

Ayes: Tingom, Jacobs, Levy, Stoner, Zimmerman  
Nays: None  
Mayor Bendekovic voted affirmatively on Item No. 16.

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## **ADMINISTRATIVE ITEMS**

17. Approval of ranking in response to RFSP 060-15, Solid Waste, Bulk Trash, Yard Waste & Recycling Collection Services.

A memo from Horace A. McHugh, Chief Administrative Office and Chairperson of the Solid Waste Evaluation Committee follows:

### **I. Background**

As the elected officials may recall, the City exclusive franchise for the collection of residential and commercial solid waste, bulk trash, yard debris, and residential recyclables expires on September 30, 2016. Generally, the City has been operating under short term franchise extensions while the disposal market has stabilized. The most recent extension was approved by Ordinance No. 2525 which was considered for First Reading at the March 18, 2015 City Council Meeting and considered for Second Reading at the April 15, 2015 City Council Meeting. This Ordinance approved a one (1) year extension and Second Amendment to Franchise Agreement so as have same expire on September 30, 2016.

At the March 18, 2015 City Council Meeting the Administration advised the City Council that if a competitive procurement for a new collection franchise was desired, steps needed to be taken to accomplish same by the September 30, 2016 Franchise expiration date, and the Administration requested that the City retain a consultant to assist in this effort. The topic of competitive procurement and a consultant was discussed again at the May 13, 2015 City Council Meeting (where a proposed timeline was shared with the Council for the RSFP and where obtaining a consultant was recommended), and again at the July 8, 2015 City Council Meeting (where the Consultant's proposed retention was approved and authorization to proceed as recommended was given). At the July 8, 2015 Council Meeting, the Administration's presentation to Council included the identification of issues such as the length of the initial term, including Construction and Demolition Debris collection in the Franchise, assuming billing of the toter cart service, establishing a franchise fee, and cost issues.

Notably, the contractual arrangements the City enjoys for disposal of solid waste, bulk trash, and yard waste expires on July 2, 2018. This arrangement is evidenced by the City's Interlocal Agreement with Broward County and the County's contractual arrangements with Wheelabrator. The County has a unilateral option to extend the Wheelabrator contract for an additional five (5) year period. The City's Agreement with its residential recycling disposal service provider also expires on July 2, 2018 (subject to a mutual extension privilege [i.e. both parties must agree]). Therefore, it is possible that the disposal environment (and cost structure) for the collected material may change materially a little less than two (2) years after the current collection franchise expires.

As stated above, Council authorized staff to solicit proposals for collection services and additionally authorized the engagement of HDR Engineering, Inc. to assist in the process. HDR provided valuable assistance with developing a Request for Sealed Proposals (RFSP) and preparing a draft agreement, given their experience, knowledge of best practices and emerging trends within the industry.

## II. The Procurement Process

RFSP # 060-15 was issued on October 22<sup>nd</sup>, 2015 to solicit proposals from qualified companies that wish to obtain Exclusive Franchise Agreement for Solid Waste, Bulk Trash, Yard Waste and residential Recycling Collection Services. Admittedly, neither the RFSP nor the proposed contract contained therein were finally approved by the City Council prior to the solicitation being released in view of the project timelines that needed to be accomplished for the solicitation and potential services transition. Copies of the RSFP were provided to Council Members when the document was released, together with a notice that the Cone of Silence was in effect. The following is noted:

1. The Cone of Silence remains in effect. RFSP Section 2.4 states in relevant part:

“There shall be no oral or written communication related to this RFSP between the Proposer (including any lobbyist or any other Person communicating on behalf of Proposer), and (i) the Mayor, (ii) any member of the City Council, (iii) any member of the Evaluation Committee, or (iv) any member of the Procurement Protest Review Committee (should a procurement protest be submitted). “Cone of Silence” shall not apply during any public hearing portion of any meetings of the City Council of Plantation, the Evaluation Committee, or Procurement Protest Review Committee which have on the agenda any action concerning this RFSP or any proposal.

The cone of silence shall not apply to written or oral communications between a Proposer’s legal counsel and with legal counsel for the City.

- “Cone of Silence” shall not apply during any public hearing portion of any meetings of the City Council of Plantation, the Evaluation Committee, or Procurement Protest Review Committee which have on the agenda any action concerning this RFSP or any proposal

- This Section shall not prohibit a Proposer whose proposal has been determined by the Evaluation Committee to be the most advantageous for the City to accept from engaging in City-desired and City-initiated contract negotiations with the Mayor or City’s Chief Administrative Officer (and his or her designees), pending the City governing body’s final approval of the Proposal or final approval of the Franchise Agreement;

- Communicating in writing with the person designated in this RFSP as the contact person for clarification or information related to this RFSP. The written communication, including any response thereto, shall be provided to any Proposer that has downloaded or requested the RFSP, attended the pre-proposal meeting, and submitted a proposal.

A cone of silence shall begin when this RFSP is first publicly noticed, and shall terminate at the time the City makes an award to a Proposer that becomes final as a result of no procurement protest being filed or takes other action that ends this RFSP solicitation.

Any action of a Proposer in violation of this Section may be cause for disqualification of the Proposer.”

2. The potential change in disposal rates that might be caused by any further changes to the applicable disposal arrangements are addressed by a formula that would allow changes to the disposal rates to be “passed through” to the customer rate structure using generation factors proposed by the firms responding the RSFP. Additionally, the Contract is cancellable for the City’s convenience with one (1) year’s advance written notice, so that if disposal market changes are very monumental (which is not expected), the City could go through a process of seeking new or different collection arrangements.
3. The base solicitation was for a continuation of the Pay-As-You-Throw system, and an alternative for a City-wide cart service was also included, should the City desire to convert to a City-wide cart service. In either alternative, the City would assume the billing for the basic cart collection services.

4. A draft agreement was included with the RFSP.
5. The City currently has a non-exclusive franchising system for Construction and Demolition Debris (C&D) collection, whereby multiple haulers can collect C&D as long as the hauler obtains a non-exclusive franchise. The haulers pay the City a franchise fee that consists of the greater of a \$7,500 annual flat fee or ten percent (10%) of gross revenue. During Fiscal Year 2014, the City received approximately \$117,000 from its three C&D franchise haulers, representing 10% of revenues. The average of C&D franchise fees collected over the last five (5) years is approximately \$71,000. The exclusive collection of Construction & Demolition Debris was also included as an optional item in the RFSP, and proposers were requested to provide a franchise fee if they were to be given the exclusive right to collect C&D debris within the City. The respondents proposed a \$50,000 franchise fee and \$25,000 franchise fee, respectively. In either case this is well below the \$71,000 average over the last five (5) years, or the \$117,000 received last year. Although construction activity fluctuates, we anticipate a sustained activity that would support at least \$100,000 in franchise fees over the next few years. As such, it is not recommended to include C&D in the Exclusive Franchise Agreement.
6. The RFSP and Franchise Agreement contemplates an initial term of seven (7) years, commencing October 1, 2016; however, preparation and transition work necessary to meet an October 1, 2016 collection services commencement date will start as soon as the Franchise Agreement is executed if the City Council authorizes and award pursuant to this procurement. The Franchise Agreement also contemplate two (2) mutual extensions privileges to the initial term for additional five (5) year periods each, and one three (3) year extension privilege at the end of either the initial term, or either of the extension terms. Assuming the County extends Wheelabrator's contract for five (5) years beyond July 2, 2016, a seven (7) year initial collection term seems appropriate.<sup>1</sup>
7. Rather than utilizing the current franchise fee structure that is based on a percentage of the contractor's revenues (and would generate an estimated franchise fee of \$1.5 million during this fiscal year), a flat annual franchise fee was requested (approximately \$2 million per year). This greatly simplifies the administration of the contract (i.e. revenue reviews and audits, etc.). Notably, each Proposer's rate structure is different than the rate structure currently in effect and so service rates will change as of October 1, 2016 if a prospective award is made. See Exhibit 2.
8. The RSFP evaluation criteria are listed below:
  1. **General Experience - 30%**
    - **Business**
      - Length of time in business
      - Experience with comparable municipalities
      - History with multifamily recycling
      - History with PAYT
      - Corporate licensing & certifications
      - History of litigation & violations
      - References
    - **Staffing**
      - Staff licensing & certifications
      - Customer service, billing, marketing
      - Technical, mechanical & support staff
      - Key management staffing experience

<sup>1 1</sup> The recent Global Amendment the County made with Wheelabrator (when the north plant was authorized for closure) modified the second renewal option the County enjoys under the current agreement, thus reflecting an increased likelihood the first renewal may be exercised.

**2. Resources, Implementation, Operations – 30%**

- **Implementation and Collection Plan**
  - Implementation and Collection Plan, including description of smooth transition and continued successful Collection Services, beyond implementation
  - Ability to meet requirements for Automated Carts
  - Ability to meet requirements for PAYT bags
  - Financial stability of proposer
- **Vehicles**
  - Vehicle/equipment proposed for level of service
  - Vehicle/equipment features (radio, communication, geo-referencing, tracking software, etc.)
  - Ability to meet time requirements for vehicles/equipment
- **Staffing**
  - Driver training, performance logs, etc.
  - Safety program
  - Support services
  - Proposal for customer survey
  - Proposal for customer service
  - Contract administration

**3. Price Proposal – 40%**

- **Pricing Proposal – Option A**
  - Cost proposal for Automated Cart Collection service
  - Cost proposal for PAYT bags Collection service
  - Cost for Residential Containerized Collection service
  - Cost for Commercial Collection service
- **Pricing Proposal – Option B**
  - Cost proposal for Automated Cart Collection service
  - Cost for Residential Containerized Collection service
  - Cost for Commercial Collection service

9. Scoring Keys for the evaluation criteria were developed as of the RSFP release date. Notably, the Price Proposal represented 40% of the total score. There were approximately 20 factors included in the price calculation, with each factor representing a percentage of the overall price proposal. This part of the responses were tabulated electronically to generate overall points for each proposer’s response in this area.

10. The RSFP provided that “each member of the Evaluation Committee will use the point score (cardinal number) they give each Proposer to determine the ordinal number that designates the ranking (first, second, third, etc.) they give to each Proposer. The following hypothetical example illustrates how an Evaluation Committee member might award cardinal numbers, which would then determine the ordinal numbers for the Proposers:

Proposer’s Name	Cardinal Number (Scoring)	Ordinal Number (Ranking)
Acme	100	1
Smith	92	2
Jones	86	3
ABC	73	4
XYZ	57	5

The ordinal numbers (ranking) for each proposal will be collected from each Evaluation Committee member and then all of the ordinal numbers will be added together to calculate a total ordinal score for each Proposer. The Proposer with the lowest total ordinal score will be ranked highest for award preference.” Therefore, the total number of points a Respondent may receive in a category is not how the award is determined; instead, the award is determined based upon the relative overall rank each evaluator assigns to respondents at the end of the evaluation process. This method helps reduce the effect of bias otherwise potentially caused by individual evaluators being generally more conservative or liberal in awarding points in their individual evaluations.

11. The RSFP also states:

“As soon as practicable after the Evaluation Committee completes its assessment of the proposals, the Evaluation Committee’s recommendations and the proposals shall be presented to the City’s governing body at a duly noticed public meeting. The City’s governing body may exercise any one of the following options:

- (a) The City’s governing body may approve the award of the City’s work to the Proposer that received the highest ranking by the Evaluation Committee; or,
- (b) The City’s governing body may reject all of the proposals, based on any reason the City’s governing body deems sufficient or no reason at all; or
- (c) The City’s governing body may take no action on the matter, in which event all Proposals will be deemed rejected; or,
- (d) The City’s governing body may take some other action which it determines is in the best interest of the City.”

12. The RFSP also states that “it is anticipated that the City’s governing body will award the City’s work to the Proposer that submits the best overall proposal, based on the City governing body’s determination of the City’s best interests. The City governing body’s determinations concerning these matters will be made in light of the criteria listed in Section 2.6, above. The City’s governing body shall have the exclusive authority to select the best overall proposal and make any determinations concerning the responsiveness of the Proposers, the net cost of their proposals, the Proposers’ respective abilities to satisfactorily perform the work specified in the City’s Agreement, the relative merit and value of each proposal, and all other related matters.” Thus, if the Council wishes to entirely re-evaluate the matter, the RSFP requires that the same evaluation criteria and score key be utilized.

13. The Solicitation was advertised in Demand Star on October 21, 2015, and in the Newspaper on October 22, 2015, and October 23, 2015. Also, on October 21, 2015 a link was placed on the City’s Website to Demand Star and access to the RFSP.

14. A mandatory pre-bid meeting was conducted on October 29<sup>th</sup>. Six (6) Firms attended. Three addenda were issued prior to the response date of December 9<sup>th</sup>.

15. The City received only two (2) responses in connection with this solicitation, one from Waste Management Services, Inc. of Florida and the other from Waste Pro by the deadline.

16. The Evaluation Committee (Horace McHugh, Priscilla Richards, and Steve Rogers) met on December 17<sup>th</sup> and evaluated the responses. It was determined that interviews were not necessary. After the conclusion of the meeting a verification of the tabulation was conducted, and it was determined that some individual scores

provided by individual committee members did not correspond to the totals that they provided for the associated category. As such, another Evaluation Committee meeting was conducted on December 23<sup>rd</sup>, at which point the members clarified that their individual scores were correct, but the totals were incorrect. (This occurred due to reliance on the formula used in the electronic scoring sheet).

17. The Evaluation & Scoring Sheets are provided as Exhibit A and a summary of the Evaluation Committee’s scoring is listed below:

**Base Service: Pay-As-You-Throw “blue bag” Service** – The ranking of the Evaluation Committee is listed below, with Waste Pro being ranked highest by 2 of 3 evaluators:

	Evaluator # 1	Evaluator # 2	Evaluator # 3	Overall Ranking
	Ranking	Ranking	Ranking	Ranking
Firm A – Waste Management Inc. of Florida	2 <sup>nd</sup>	1 <sup>st</sup>	2 <sup>nd</sup>	2 <sup>nd</sup>
Firm B – Waste Pro	1 <sup>st</sup>	2 <sup>nd</sup>	1 <sup>st</sup>	1 <sup>st</sup>

**Alternative Service: Citywide Cart Service** – The ranking of the Evaluation Committee is listed below, with Waste Pro being ranked highest by 2 of 3 evaluators:

	Evaluator # 1	Evaluator # 2	Evaluator # 3	Overall Ranking
	Ranking	Ranking	Ranking	Ranking
Firm A – Waste Management Inc. of Florida	2 <sup>nd</sup>	1 <sup>st</sup>	2 <sup>nd</sup>	2 <sup>nd</sup>
Firm B – Waste Pro	1 <sup>st</sup>	2 <sup>nd</sup>	1 <sup>st</sup>	1 <sup>st</sup>

Thus, in both options (Pay-As-You-Throw or citywide cart service), Waste Pro submitted the best overall proposal as determined by the Evaluators using the RSFP. Thus, the Evaluation Committee’s application of the RSFP scoring criteria to the proposals received results in a conclusion that Waste Pro submitted the superior proposal

18. The scores and ranking of the Pay-As-You-Throw and Alternative Citywide Cart Services are provided herein for the Council’s deliberation and actions.

19. The City conducted surveys over the last three (3) years that showed an overall satisfaction rating of 65% to 71% with the PAYT system. A more recent survey was conducted between December and January that

shows a similar range of satisfaction rating among those who were surveyed. There have been ongoing discussions regarding the Pay-As-You-Throw (PAYT) system and whether there is a desire to convert from the current “blue bag” system to a citywide cart system. As a result, the cost and service for that alternative was included as an option in the RSFP.

20. The scores and ranking of the Pay-As-You-Throw, Alternative Citywide Cart Services and Exclusive Collection of Construction & Demolition Debris are provided for the Council’s deliberation and actions.

### **III. Recommendations**

The Administration recommends that the Council:

1. Determine if the current PAYT system will be continued, or if there will be a conversion to a City-wide cart service for residents using curbside pickup collection service. Based on the survey, bag service seems to be still preferred;
2. Do not include within the exclusive Collection franchise, the collection of C&D debris, and retain the existing program for this service;
3. Assuming the City Council IS SATISFIED with the RSFP, how it was advertised, the fact that only two responses were received out of the six (6) that attended the mandatory pre-bid meeting, the structure of the evaluation criteria, the score keys, the approach taken to address potential changes in the disposal market, and the form contract, the proposed franchise fee and customer rate structure, and all other prerequisite matters, the Council can approve the recommendations of the Evaluation committee and make a prospective award of the collection franchise to Waste Pro consistent with the RSFP terms. Once the prospective award is made, the Mayor and Chief Administrative Officer will be authorized to make any final edits to the draft contract documents as may be necessary prior to signing same, consistent with current practices and procedures. Notably, neither proposer objected to any contractual provision, and so if there are any changes or clarifications, such edits are not expected to affect any material terms and conditions. This is the action recommended.
4. Assuming the City Council IS NOT SATISFIED with the RSFP, how it was advertised, the fact that only two responses were received out of the six (6) that attended the mandatory pre-bid meeting, the structure of the evaluation criteria, the score keys, the approach taken to address potential changes in the disposal market, the form contract, the proposed franchise fee and customer rate structure, and all other matters prerequisite, the Council should reject all responses. If this occurs:
  - a. A short term collection franchise (or extension) needs to be negotiated to allow sufficient time to seek new competitive proposals for a contract without a gap in service as of October 1, 2016, and both respondents should be given an opportunity to provide such short term service; and
  - b. Direction from the City Council will be needed as to any specific changes that will need to take place in the next procurement.
5. The City’s governing body may take no action on the matter, in which event all Proposals will be deemed rejected.
6. The City’s governing body may take some other action which it determines is in the best interest of the City.

#### IV. Final Remarks

As can be surmised, this procurement effort was comprehensive and many persons' assistance was needed to complete this task timely. Particularly, the Administration desires to recognize the contributions, services, and insights of the Consultant, HDR, as well as members of the Administration, Public Works Department, and Legal Department, the Evaluators, Mr. Spencer, and most importantly, the Mayor and Members of the City Council.

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#### Public Comments:

1. Dennis Conklin – spoke in support of rejecting all bids.
2. Kingsley Smith – inquired how the survey was conducted.
3. Errol Brown – stated he would like to have the option to use blue bags or carts.

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***Motion by Councilmember Stoner, seconded by Councilmember Jacobs, to reject all bids. Motion carried on the following roll call vote:***

Ayes: Tingom, Jacobs, Stoner, Zimmerman  
Nays: Levy

***Motion by Councilmember Stoner, seconded by Councilmember Jacobs, to authorize staff to extend the current contract with Waste Management for one year and provide options for a new RFSP. Motion carried on the following roll call vote:***

Ayes: Tingom, Jacobs, Levy, Stoner, Zimmerman  
Nays: None

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#### LEGISLATIVE ITEMS

***Mr. William Laystrom, Attorney and representative for the developer, agreed to waive the Quasi-Judicial proceeding for Item No. 21 and have it heard under Legislative Items along with Item No. 18.***

- 18.** DEFERRED PUBLIC HEARING AND FIRST READING OF AN ORDINANCE PERTAINING TO THE SUBJECT OF COMPREHENSIVE PLANNING; ASSIGNING 150 RESIDENTIAL UNITS IN THE LOCAL ACTIVITY CENTER (LAC), TO THE FOLLOWING DESCRIBED PROPERTY IN FLEX ZONE 73 SO AS TO PERMIT THE CONVERSION FROM COMMERCIAL TO RESIDENTIAL USE: PROPERTY LYING IN SECTION 1, TOWNSHIP 50 SOUTH, RANGE 41 EAST, AND DESCRIBED AS A PORTION OF PARCEL "A" PLANTATION BUSINESS CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 125, PAGE 40 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED HEREIN AS EXHIBIT "A", GENERALLY LOCATED AT THE NORTHEAST INTERSECTION OF NW 46 AVENUE AND NW 8 STREET; PROVIDING FINDINGS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR. (STRATA).

Mr. Lunny read the ordinance title.

Mr. William Laystrom, Attorney and Christopher Longworth, Applicant were present.

Councilmember Stoner disclosed an Exparte Communication between herself and Chris Longworth. She stated it will not influence her decision which will be based upon evidence presented tonight.

Councilmember Zimmerman disclosed an Exparte Communication between himself and Chris Longworth. He stated it will not influence his decision which will be based upon evidence presented tonight.

Mayor Bendekovic disclosed an Exparte Communication between herself and Chris Longworth. She stated it will not influence her decision which will be based upon evidence presented tonight.

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Planning and Zoning Comments follow:

**REQUEST:** Assignment of LAC units, site plan, elevation, and landscape plan approval for a 150-unit townhouse development.

**EXHIBITS TO BE INCLUDED:** Planning and Zoning Division report and development review application.

**REVIEW COMMITTEE RECOMMENDATION:** Application deemed incomplete to move forward to Planning and Zoning Board (March 26, 2015).

**REVIEW COMMITTEE RECOMMENDATION:** Application deemed complete to move forward to Planning and Zoning Board (June 2, 2015).

**PLANNING AND ZONING BOARD RECOMMENDATION:** Denial (September 1, 2015).

**LANDSCAPE PLANNING REVIEW BOARD RECOMMENDATION:** Denial (September 1, 2015).

**CITY COUNCIL:** At their meeting of December 9, 2015, City Council deferred this item to December 16, 2015, based in part on comments made by the Mayor and City Council Members. At their meeting of December 16, 2015, City Council deferred this item to January 13, 2016, to allow the applicant additional time to submit revised plans.

Staff has reviewed the revised plans in terms of the Mayor and City Council comments:

**Building Design:** The building design remains a box. The applicant has added some architectural details, including the hip roofed elements, which lessens the box-like appearance from locations outside the site.

- a) Additional stucco banding and metal brows over doors have been added to the side and rear of all buildings
- b) Flat roof remains. Applicant has added elements resembling a hip-roof to (1) the rear of buildings having 7 or fewer units, and (2) the front and rear of buildings having 8 units.
- c) One window has been added on the second floor of each end unit.

**PLEASE NOTE:** Staff has recommended (see body of report) that if the site plan is approved, the following design changes shall be included as part of the approval:

- (a) Provide sloped roofs, not flat roofs with roof-like parapet features (Not provided on current plan).
- (b) Offset adjacent units 3 feet to 5 feet within the building footprint (Two-foot offset provided in some cases).
- (c) Add a solid colored contemporary brick veneer or stacked stone veneer to portions of the front building facades (Not provided on current plan).
- (d) Provide an identity for each townhouse without combining architectural design elements overlapping on units (Not provided on current plan).
- (e) Provide three or more different color palettes for the buildings as allowed by Plantation Tropical. The proposed palette is monochromatic and is not consistent with Plantation Tropical (Not provided on current plan).

**Parking:** Despite the corrections, sufficient parking is not provided with each unit. The applicant has made the following revisions:

- a) The parking code requires 3-bedroom townhouses to provide four parking spaces. The applicant has reduced parking for eight of the 3-bedroom units (A-1 Type) from three to two parking spaces. This reduces on-site parking from three to two parking spaces for the eight units, or ½ required by code. This revision allows landscaping in front of each unit. Staff believes the 50% reduction is clearly insufficient, and will result in some units parking the second or third car in the guest spaces.
- b) Here is a parking analysis comparing the prior and current townhouse submittal:

Prior Plan: 450 spaces provided in driveways or garages, 260 driveway spaces, 190 garage spaces and 47 guest spaces for a total of 497 spaces.

Current Plan: 442 spaces are provided in driveways or garages, 252 driveway spaces, 190 garage spaces, and 69 guest parking spaces for a total of 511 parking spaces.

The revised plan increases total parking by 14 spaces, reduces unit parking (already deficient) by eight spaces, and increases guest parking by 22 spaces. Staff cannot determine if the additional guest spaces will be sufficient to accommodate the deficiencies in townhouse unit parking.

- c) No change from prior plan: Garages do not meet minimum interior code requirements: Two car garages provided are 20' wide x 20' deep (22' wide x 20' deep required) and one car garages provided are 11 – 12.5' wide x 20' deep (15' wide x 20' deep required).
- d) No change from prior plan: Two car driveway width remains at 17 feet (16 feet required).

**Long straightaway roads (speeding concerns):** The applicant has added a median divider (see plan) for each of the two longest (east/west) streets.

**Offset units within the building footprint (abutting the south and west property lines):** No change from prior plan. Two-foot stagger on first floor; no stagger on second floor, buildings flat.

**Building setbacks abutting the south property line:** Three buildings abutting the south property line do not meet the required 25' setback. Two buildings have not changed (providing setbacks of 11.9 and 13 feet as previously submitted). Applicant has increased setback of third building from 8.9 feet to 11 feet.

**Lack of landscaping between driveways in front yards:** Some additional landscaping has been added by reducing required parking and reducing driveway width. Landscape areas have been improved as a result of some (8) unit driveways being reduced from two car to one car driveways.

**WAIVERS:**

- 1) From: Section 27-613.4(b) and 27-613A(a)(10), which requires a rear setback of 25 feet;  
 To: Provide a rear setback of 11.91 feet for Building 4  
 To: Provide a rear setback of 13 feet for Building 5  
 To: Provide a rear setback of 11 feet for Building 6
  
- 2) From: Section 27-635 requires minimum end-to-end building separation of 30 feet.  
 To: Provide end-to-end building separations ranging from approximately 17 to 22 feet.
  
- 3) From: Section 27-743(1)(b), which requires:
  - a. Two side-by-side driveway spaces 18-feet in width for all units; and
  - b. One enclosed garage space 15-feet wide by 20-feet deep for two bedroom townhomes; and
  - c. Two enclosed garage spaces 22-feet wide by 20-feet deep for three bedroom townhomes.
 To:
  - a. Provide one driveway space 9-feet in width for all of the two bedroom (B1) units, and for eight of the three bedroom (A1) units; and two side-by-side driveway spaces 17-feet in width for all other units; and
  - b. Provide no garage spaces for the 1 two bedroom plus den (C1) unit, and one enclosed garage space 11-feet wide by 20-feet deep for the 40 two bedroom (B1) units; and
  - c. Provide one enclosed garage space 12.5-feet wide by 20-feet deep for the 68 three bedroom (A1) units and two enclosed garage space 20-feet wide by 20-feet deep for the 41 three bedroom (D1) units.
  
- 4) From: Section 27-747(c), which requires three loading zones 12' wide by 45' long;  
 To: Not provide a loading zone.
  
- 5) From: Section 27-742(2)(e), which requires a 25-foot drive aisle width;  
 To: Provide a 24-foot drive aisle width.
  
- 6) From: Section 27-613A(b) which requires all buildings to comply with the standards of the Plantation Tropical Design Manual;  
 To: Develop the site with a contemporary design.
  
- 7) From: Section 13-41(a) Recognizing that it is universally accepted that trees and other plantings function to visually and aesthetically buffer and enhance building facades to reduce air and noise pollution and to conserve energy within the structure, there shall be a landscaped pedestrian zone along the length of all building walls not directly adjacent to vehicular approaches. The depth of this pedestrian zone and the degree to which it is landscaped shall be determined by building height and function.

Building 1:

- a. 12'-6" lpz is required along the southern façade – 9' has been provided
- b. 12'-6" lpz is required along the western façade – 11' has been provided

Building 2:

- a. 12'-6" lpz is required along the southern façade – 9' has been provided
- b. 12'-6" lpz is required along the western façade – 11' has been provided
- c. 12'-6" lpz is required along the northern façade – 9' has been provided

Building 3:

- a. 12'-6" lpz is required along the southern façade – 9' has been provided
- b. 12'-6" lpz is required along the western façade – 11' has been provided
- c. 12'-6" lpz is required along the northern façade – 9' has been provided

Building 4:

- a. 12'-6" lpz is required along the western façade – 11' has been provided
- b. 12'-6" lpz is required along the northern façade – 9' has been provided

Building 11:

- a. 12'-6" lpz is required along the eastern façade – 10'-6" has been provided

Building 12:

- a. 12'-6" lpz is required along the eastern façade – 10'-5" has been provided

Building 13:

- a. 12'-6" lpz is required along the western façade – 10'-6" has been provided

Building 14:

- a. 12'-6" lpz is required along the southern façade – 10' has been provided

Building 17:

- a. 12'-6" lpz is required along the eastern façade – 11' has been provided

Building 18:

- a. 12'-6" lpz is required along the eastern façade – 11' has been provided

Building 19:

- a. 12'-6" lpz is required along the western façade – 11' has been provided

Building 20:

- a. 12'-6" lpz is required along the western façade – 11' has been provided

Building 21:

- a. 12'-6" lpz is required along the southern façade – 6' has been provided

8) From: Section 13-41(a) (b). Pedestrian zones along building facades.

Landscape pedestrian zones shall extend the full width of each façade which abuts a parking or vehicular use area; the minimum width of such landscape zone shall relate to the adjacent structure's wall height (vehicular overhang does not count towards required green space).

Building 5:

- a. 12'-6" lpz is required along the eastern façade – 7' has been provided

9) From: Section 13-41(a)(c). Pedestrian zones along building facades.

One tree shall be installed in this zone per each 30 lineal feet, or fraction thereof, of façade width.

Clubhouse:

- a. 2 trees are required along the western façade – 0 trees *have* been provided

***Existing trees planted within 1'-5' of a proposed sidewalk will not count towards code required trees throughout the landscape pedestrian zones. (Please see figure under item #3, Planting Plan comments.)***

10) From: Section 13-40(c)(1). Interior landscaping for parking areas.

No landscaped area shall have any dimension less than five (5) feet.

- a. 5' planting width required – 3'-6", 3'-9" & 4'-3" provided on numerous planting islands on Buildings 1 through 22.

11) From: Section 13-40(e). Interior landscaping for parking areas.

Landscape areas in all vehicular use areas shall be curbed to provide landscape protection.

- a. Numerous islands throughout the site are not curbed. (i.e. islands in front of the units/buildings; the larger planting islands in front of the units are curbed).

**SUMMARY**

The subject site is 13.5 acres in area and part of the property previously known as Plantation Business Park that encompasses approximately 24.6 acres overall. The site is bound by vacant land under the same ownership to

the north, single-family residential use to the south, commercial use to the east, and multi-family residential use to the west. The site was originally developed with two office/warehouse building clusters on the south side of the site totaling 30,500 square feet in area. Recently, one of the two buildings was demolished and the other is under renovation.

The applicant proposes to separate the 24.6 acre parcel into three development sites; (a) the existing office/warehouse building on approximately 3 acres at the southeast corner of the site, (b) an undisclosed development proposal on the 8.1 acres on the north side of the site, and (c) a 150-unit gated townhome community on the 13.5 acre subject site. The proposed density, of 11.14 units per acre, exceeds that of other recently approved and constructed townhome projects such as The Cove (six units per acre), Riverwalk (eight units per acre), and Emerald Creek (ten units per acre).

The applicant proposes 150 townhouses in a predominately linear layout with 21 buildings ranging between four and eight units per building. Plantation Gateway Design Guidelines require compliance with the "Plantation Tropical" design guidelines which are characterized by a blend of traditional colonial architectural elements influenced by the tropical climate of the area. Sloped roofs, articulated entryways, windows with muntins and mullions, shutters and awnings are encouraged as part of the design criteria.

The applicant proposes contemporary flat-roofed buildings with "partial" mansard parapets that resemble a roofline. Entrances to the majority of townhomes are from the front of the building and recessed back from the building face without articulation. The rear of each townhouse grouping is relatively flat and apartment-like. The applicant proposes gray and white stucco finishes, dark wood or wood colored trims, and gray mansard style metal seam roofing

The applicant shall demonstrate that the project meets the criteria listed in City Code Section 19-71(b) to justify the allocation of LAC units to the parcel. Responses to the Section 19-71(b) LAC criteria from both the Applicant and staff are provided in Appendix "A" below. It is staff's opinion that the application does not meet the Chapter 19 criteria. Staff supports the concept of townhomes at this location, but not in a configuration that fails to meet basic code requirements.

**STAFF COMMENTS:**

**PLANNING AND ZONING:**

**Planning:**

1. If approved, the applicant shall pay city impact fees (\$1,833 per unit) to the Building Department prior to issuance of development permits.

**Zoning:**

In general: Staff does not support approval of the application.

1. A 7'- 8' high chain link fence with barbed wire has been installed without benefit of a permit on the north and east sides of the property. The City Code does not permit barbed wire on fences facing a public right-of-way unless there is a persistent pattern of criminal activity. The applicant shall remove the barbed wire or provide documentation from the Plantation Police Department that the barbed wire is necessary to deter a persistent pattern of criminal activity and obtain the necessary permits from the Building Department. Staff will discuss this issue with the Plantation Police Department prior to the City Council meeting.

2. Upon resubmittal for City Council consideration, the applicant modified the site plan by rearranging the layout of the buildings, reducing the number of buildings, and providing a different unit mix. This has resulted in some previous staff comments being eliminated; however, in response to the new layout, new comments have been added that were not on previous staff reports.

3. The site plan does not meet minimum requirements for perimeter and building setbacks/separations, required unit specific parking (including interior garage dimensions), and “Plantation Tropical” building design. Under these circumstances, staff cannot support the site plan application as proposed.
4. Revise to meet the following minimum site plan and building design revisions:
  - a) Provide sloped roofs, not flat roofs with roof-like parapet features.
  - b) Offset adjacent units 3-5’ within the building footprint.
  - c) Add a solid colored contemporary brick veneer or stacked stone veneer to portions of the front building facades.
  - d) Provide an identity for each townhouse without combining architectural design elements overlapping on units.
  - e) Provide three or more different color palettes for the buildings as allowed by Plantation Tropical. The proposed palette is monochromatic and is not consistent with Plantation Tropical.
  - f) The building material sample indicates green screens covering the front walls of some units. The “cable” design is a new application so staff cannot determine its effectiveness and planting areas are very limited in the front of the unit. If the green screen does not thrive, it is unclear who (HOA or unit owner) is responsible for maintenance or replacement.
5. Staff requested the applicant provide a platting determination letter from Broward County prior to City Council consideration. If re-platting is not required, a delegation request to amend the plat note will be required as the current plat is restricted to office, industrial, and commercial uses. Staff has advised the applicant that development permits cannot be approved without a plat letter or approved delegation request. The applicant has failed to provide the requested information.
6. Separation of the existing office building at the southeast corner of the site into a freestanding parcel may have created non-conforming site conditions. Staff requested the applicant provide the following information on the office building site plan:
  - a) Site data information including lot coverage, pervious, impervious, and parking calculations.
  - b) Building setbacks, open space and parking lot/buffer dimensions.
  - c) Lot line dimensionsThe applicant has failed to provide the requested information.
7. Easement vacations are required prior to issuance of development permits unless otherwise approved by the appropriate departments or agencies.
8. Unified control documents are required. All unified control documents, cross access agreements, operating agreements and any declaration of restrictions will require review and approval by the City Attorney prior to issuance of development permits. The unified control document should specifically include language addressing maintenance and inspection of private bridge providing access to Sunrise Blvd. Additional trust account funds for attorney review will be required.
9. The applicant has indicated that the project will be fee simple townhomes. Homeowner association documents shall be submitted, reviewed, and approved by the City Attorney prior to the issuance of any development permits. Additional trust account funds for city attorney review will be required.
10. The HOA documents must include:
  - a) No screen enclosures unless the developer includes uniform screen enclosure specifications (design, dimensions, materials, and color) in HOA Documents, said detail and specifications to be approved by City Council or PAC prior to issuance of any screen enclosure permit.
  - b) No building or patio additions due to limited pervious area (Engineering requirement).
  - c) No garage conversions (insufficient townhome unit parking required).
  - d) No additional fencing except the privacy fences between units.

Site data:

11. The two bedroom plus den townhome (C1 unit) requires two side-by-side driveway spaces plus one fully enclosed garage space 22-feet wide by 20-feet deep, counting as two spaces. The site data table under counts the required parking spaces for this unit type. Correct accordingly.

Site Plan:

12. Section 27-635 requires an end-to-end building separation of 30 feet; a range of approximately 17 feet to 22 feet is provided. The applicant is requesting a waiver.
13. Access to the office building is incorrectly labeled as “emergency access only” for both entrances. Clarify access to the office building will be from NW 8<sup>th</sup> Court as the code prohibits access to commercial uses through residential areas.

Floor Plans:

14. The garages do not meet minimum interior garage size requirements. The applicant is requesting a waiver.

Parking and Loading:

15. Per Section 27-743(b):

- a) The three bedroom townhomes (A1 and D1 units) require two side-by-side driveway spaces plus one fully enclosed garage space 22-feet wide by 20-feet deep. The applicant is proposing two side-by-side driveway spaces and a garage space 12.5-feet wide by 20-feet deep for the A1 units. The applicant is proposing two side-by-side driveway spaces and a garage space 20-foot wide by 20-feet deep for the D1 units. The applicant is requesting a waiver.
  - b) The two bedroom plus den townhome (C1 unit) requires two side-by-side driveway spaces plus one fully enclosed garage space 22-feet wide by 20-feet deep, counting as two spaces. The applicant has provided no garage and two side-by-side driveway spaces. The applicant is requesting a waiver.
  - c) The two bedroom townhomes (B1 units) require two side-by-side driveway parking spaces plus one fully enclosed garage space 15-feet wide by 20-feet deep. The applicant has provided one driveway space and a garage space 11-feet wide by 20-feet deep. The applicant is requesting a waiver.
  - d) If City Council approves the revised plan as submitted, guest parking spaces shall not be labeled as such or with any other designation. The plans provide insufficient parking per unit. To assure overflow resident parking is available; non-townhouse parking spaces shall not be restricted in any way.
16. Three 12’ X 45’ loading zones are required. No loading zones are provided. The applicant is requesting a waiver.

Lighting:

20. Proposed light poles shall not be placed in required landscape islands.

Details:

21. Label the paver material and color. A previous response letter indicates the colors are proposed as slate tan and gray.
22. Construct a poured concrete wall instead of an open fence as is proposed along the north and east property lines. The applicant has not indicated the proposed use of the undesignated property to the north. If non-residential buildings are approved, a wall is necessary to protect the for sale townhomes from “back of building” commercial activities. If apartments are approved (not permitted today), a wall is an appropriate separation between rental apartments next to for sale townhomes. Staff also suggests a wall along the east lot line next to a commercial parking lot. The applicant is proposing a 6-foot high black metal picket fence in these areas. Staff recommends all walls be located adjacent to the lot line.
23. The existing wall along the west and south property lines shall be repaired and replaced as needed. If approved, permit drawings shall reflect same.
24. Note: All outdoor equipment shall be screened from view (Section 27-647). This includes a/c units and any other equipment on the top of the flat roofs, as well as ground-based equipment such as back flow preventers, pumps, etc.
25. Obtain written confirmation that blue bag pickup is available for this gated community prior to City Council consideration.

Signage:

26. Note: Signs, including sign locations, are not part of this review. There are possible sign locations on the site plan that are not labeled. However, any sign must comply with Section 22-42, which allows one double-face ground sign not to exceed eighteen square feet in area and not to exceed five feet in height when not associated with an entry feature or privacy wall, or seven feet in height when associated with an entry feature or privacy wall.

**TRAFFIC CONSULTANT:** See Engineering.

**ENGINEERING DEPARTMENT:**

Site Plan Comments:

1. Please provide all signing and marking on the Site Plan. If it is not called out on the Site Plan, please provide a separate signing and marking sheet. As shown, it appears there will be stop signs in driveways. Please revise. 05-22-15: The Site Plan and the Civil Plan do not match and are incomplete. Stop bars are shown adjacent to the middle of a residential driveway. Please meet with Engineering to discuss. 08-20-15: *The Civil plans have a signing and marking sheet to which the following comments apply:*
  - a) *Please provide a stop bar at the gated entrance. 11-5-15: Stop bar is located under the gate. Please revise 12-24-15: This has now been changed to Stop and Yield markings under the gate, which is not permitted. Please meet with Engineering to discuss.*
  - b) *For the interior circle, please provide consistent markings and on-way signs in the circle island. 11-5-15: Comment not addressed. Plans have been revised but there are still signs and markings that are missing. 12-24-15: Comment not addressed. Please meet with Engineering to discuss.*
  - c) *11-5-15: The Site Plan and the Civil Plan still do not match. 12-24-15: Comment not addressed. Please meet with Engineering to discuss.*
2. Please provide the details for the ramps at the crosswalks. Some appear to be in the wrong place. Please revise. 05-22-15: Response states that all ramps will be provided at permitting. Comment must be addressed prior to the City Council submittal as it impacts other Engineering comments. 08-20-15: *There are still some ramp issues. Ramps are shown on only one side, possibly indicating that the other area is flush with the pavement. However, those areas contain parking spaces with no wheel-stops. There are ramps along the area shown in the pedestrian route. This appears to be flush with the asphalt. A designated pedestrian facility may not be flush with the asphalt. Please revise. 11-01-15: The ramp details provided to not address all conditions. There still appears to be sidewalk adjacent and flush with the pavement which is not permitted. Please revise prior to permitting. Please call Engineering with any questions. Thank you! L. 12-29-15: Please provide the detail for all applicable ramps.*
  - a) Sidewalks are shown in front of only some of the buildings. This does not allow for access from all of the buildings to amenities on the site. Please revise to include sidewalks in a consistent manner. 05-22-15: The response states that sidewalks only provided on one side of the road, per City's request. This was not a request by the City. Building 6 has no access to a sidewalk. 08-20-15: *The sidewalks and ramps still have some conflict issues. The sidewalk SHALL NOT be flush with the roadway. Please meet with Engineering to discuss. 11-05-15: Sidewalk is still shown as being adjacent and flush with the roadway and will not be permitted. 12-24-15: Sidewalks have removed from the front of the buildings yet some are still flush with the pavement. Please meet with Engineering to discuss*
3. Please clearly show the ADA connection to the public right-of-way. 05-22-15: The connection stops at the City's Multi-Use Recreational Trail. If this is acceptable to the Building Department, then Engineering will support it. 11-05-15: **Please provide the Building Departments response.**
4. Parking spaces shall be 16-feet with a curb and two-foot landscape overhang or 18-feet with a wheel stop. Please revise. 05-22-15: Comment not addressed. 08-20-15: *There are inconsistencies in the parking stall dimensions. Please meet with Engineering to discuss. 11-05-15: The parallel spaces do not measure correctly on the plans, they measure 22 feet but are labeled as 23 feet. Please correct prior to permitting as*

this may affect the impervious/pervious area calculation. **12-29-15: One of the spaces still measures 22 feet, please revise.**

5. 05-22-15: The Paving, Grading and Drainage sheets do not identify the paved areas, curbing locations, median changes. They do not have dimensions. Please meet with Engineering to discuss. 08-20-15: *There is just one parking area on the south end that is not shown as being paved. Please add.* 11-05-15: *Complete dimensions are still not provided. Please address as requested.* **12-24-15: Comment not addressed. Please meet with Engineering to discuss.**
6. 05-22-15: The entrance road is shown as two (2) entering lanes, yet the existing pavement does not support that. There are no plans showing the changes in the roadway. 08-20-15: *There will need to be demo plans that show what is existing and how that will be modified for the proposed configuration. Please provide demo plans on the existing conditions. The Civil Plans should show the areas of new additional pavement versus resurfaced pavement as the details are different.* 11-05-15: *Response says "Acknowledged", yet the requested information has not been provided and may require changes at permitting. Please provide as requested.* **12-24-15: Comment not addressed. This issue will affect the approval of an Engineering permit. Please meet with Engineering to discuss.**
7. 05-22-15: When the fence closing off NW 8 Court was installed, a pedestrian crossing for the Multi-Use Recreational Trail which was built by the City was removed. Please return it or provide documentation that shows it was returned. 08-20-15: *Response states that it was returned.* 11-05-15: *Please include in the signage installation for the project.* **12-29-15: Comment not addressed.**
8. Please consider moving the interior exit gate further north. As shown, vehicles will stack in the intersection causing conflicts. 11-05-15: *Response states "Acknowledged" but the gate is in the same location. Internal queuing may occur.* **12-29-15: Comment remains.**
9. Additional comments may be generated based on the resubmittal.
  - a) 11-05-15: *On Sheet SP7, please show the Fire Truck radius throughout the site in a more visible color. It does not match the legend.* **12-29-15: There is no scale on this sheet. The vehicular access is shown connecting to NW 8 Court, yet this is shown as gated on the signing and marking sheet. Please correct.**
  - b) **The Emergency Access Only at the west entrance to the office building must be signed on both sides and gated to prevent cut through traffic to the residences. Please show gate on the plans.**
  - c) **The bridge on NW 45 Ave will need to be inspected and FDOT Bridge Inspection Report provided.**
10. Please meet with Engineering to discuss the Traffic Study. 08-20-15: *Traffic Study methodology has been coordinated with the Applicant. The study will need to be submitted with the City Council submittal.* 11-05-15: *Traffic Study is acceptable, the impacts to City roadways will be minimal.* **12-29-15: The roadway connection to NW 8 Court is now shown as being gated with no access allowed. This will change the distribution of the traffic as previously reported. The traffic study will need to be revised to match the current conditions. Please meet with Engineering to discuss.**

Permit Comments:

Note: A detailed review of the civil drawings has not been performed at this time. If the site plan application is approved by City Council, a thorough engineering review will be performed at the time of application for construction permits.

1. The owner/developer will be required to coordinate with the Engineering Department, *prior to application for construction permits*, to set up a trust account with a \$1,000 minimum starting balance.
2. An erosion and sedimentation control plan will be required and reviewed at time of permitting. An NOI will be required.
3. A Maintenance of Traffic (MOT) plan will be required. Please meet with Engineering to discuss if there are any questions or concerns.

4. Drainage calculations will need to be submitted, signed and sealed by a professional engineer registered in the State of Florida. They must comply with Chapter 9 of the City Code.
5. Surface water management permit(s) through the Old Plantation Water Control District (OPWCD) and/or SFWMD will be required and a copy(s) provided to the Engineering Dept. at the time of permit review.
6. The Applicant will be required to execute a developer agreement and post security for all engineering and landscape related improvements for each phase at the time of permitting.

**DESIGN, LANDSCAPE & CONSTRUCTION MANAGEMENT:**

- All site plan and planting plan comments from the Department of Design, Landscape and Construction Management must be responded to in writing at time of permitting.
- The applicant will be required to execute a developer agreement and post security for all engineering and landscape related improvements at time of permitting.
- Tree/palm removal and relocation permits as well as mitigation fees must be obtained directly through the Design, Landscape & Construction Management Department at the time of permitting. Please contact Diana Berchielli at 954-797-2248 directly to obtain required permits.
- This review is preliminary. Full Landscape plan review & approval is required prior to permitting. The final review could generate additional comments.

Site Plan:

1. As per City codes, no landscape area shall have any dimension < 5' in width; between roadways & sidewalks; 5' planting width required – 3'-6", 3'-9" & 4'-3" provided on numerous planting islands on Buildings 1 through 22.

***Waivers required.***

2. City code required a landscaped pedestrian zone along the length of all building walls not directly adjacent to vehicular approaches. The depth of this pedestrian zone and the degree to which it is landscaped shall be determined by building height and function. (13.41(a))

Building 1:

- a. 12'-6" lpz is required along the southern façade – 9' has been provided
- b. 12'-6" lpz is required along the western façade – 11' has been provided

Building 2:

- a. 12'-6" lpz is required along the southern façade – 9' has been provided
- b. 12'-6" lpz is required along the western façade – 11' has been provided
- c. 12'-6" lpz is required along the northern façade – 9' has been provided

Building 3:

- a. 12'-6" lpz is required along the southern façade – 9' has been provided
- b. 12'-6" lpz is required along the western façade – 11' has been provided
- c. 12'-6" lpz is required along the northern façade – 9' has been provided

Building 4:

- a. 12'-6" lpz is required along the western façade – 11' has been provided
- b. 12'-6" lpz is required along the northern façade – 9' has been provided

Building 11:

- a. 12'-6" lpz is required along the eastern façade – 10'-6" has been provided

Building 12:

- a. 12'-6" lpz is required along the eastern façade – 10'-5" has been provided

Building 13:

- a. 12'-6" lpz is required along the western façade – 10'-6" has been provided

Building 14:

- a. 12'-6" lpz is required along the western façade – 10' has been provided

Building 17:

a. 12'-6" lpz is required along the eastern façade – 11' has been provided

Building 18:

a. 12'-6" lpz is required along the eastern façade – 11' has been provided

Building 19:

a. 12'-6" lpz is required along the western façade – 11' has been provided

Building 20:

a. 12'-6" lpz is required along the western façade – 11' has been provided

Building 21:

a. 12'-6" lpz is required along the southern façade – 6' has been provided

**Waivers required.**

3. Code requires landscape pedestrian zones (lpz) to extend the full width of each façade abutting a parking or vehicular use area; the minimum width shall be measured from the base of the building and shall relate to the adjacent structure's wall height. (Paved areas in the lpz may not constitute more than 5' of required lpz.) (13.41(b))

Building 5:

a. 12'-6" lpz is required along the eastern façade – 7' has been provided

**Waivers required.**

4. Landscape areas in all vehicular use areas shall be curbed to provide landscape protection.

**Waivers required.**

5. While staff appreciates the attempt to save existing trees throughout the site **staff does not support** the placement of structures (walls, light poles, buildings) or paved areas (sidewalks, drive isles, driveways) within 3 - 10' of new and/or existing trees (i.e. tree #5650, 5409, 5651, 2901, 5359, 2900, etc.).

6. Do not place utilities in the larger planting islands in front of the units; water meter boxes, water service connections and/or lateral clean outs do not belong in the larger planting islands – the trees will interfere with these utilities as they mature.

7. Do not place lighting in landscape islands where trees are required by code. (i.e. SWC of building 21.)

Planting Plan:

1. **Staff does not support the removal of "Good" quality, Calophyllum trees, and/or Sabal palms throughout the site. As per City codes every reasonable effort must be made by the proponent to incorporate existing trees in the development project.**

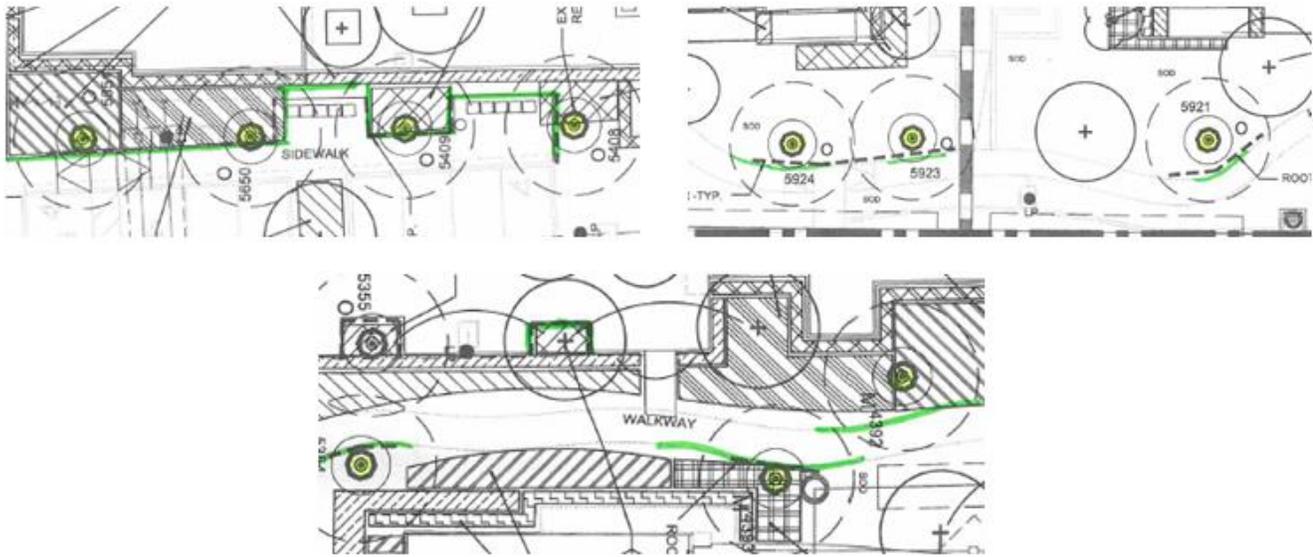
2. As per City codes a minimum of 1 tree is required every 30 lineal foot, or fraction thereof, of façade width (3 palms = 1 tree). **Existing trees planted within 1'-5' of a proposed sidewalk will not count towards code required trees throughout the landscape pedestrian zones. (Please see figure under item #3.)**

Clubhouse:

a. 2 trees are required along the western façade – 0 trees have been provided

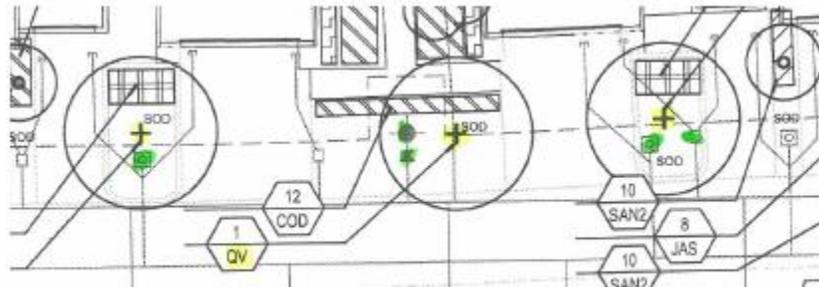
**Waivers required. Staff requests mitigation of trees if waiver is granted.**

3. While staff appreciates the attempt to save existing trees throughout the site – **staff does not support** the proposed sidewalks are planted within 1'- 4' of existing trees (i.e. tree #5408, 5650, 5409, 5664, 3958, 4393, 5354, etc.). Sidewalks, paved areas, etc. must be placed a minimum of 8' from existing trees. Proposed paved areas must not compromise the health of existing trees.



**Examples of existing trees with established root systems within 1'- 4' of proposed sidewalks throughout the site.**

4. Plans proposed the planting of category 1 trees within 3' from sidewalks. Category 1 trees should be planted a minimum of 8' from proposed paved areas that are not curbed.
5. Staff does not support the planting of Live oak trees (or large shade trees) within 5' of meter boxes, utility lines, fire hydrants, etc.; as the tree matures the roots and trunk will compromise the utilities.



**Examples of category 1 trees planted within 2'- 5' of utility lines.**

6. Please make sure the 2 submitted tree surveys are consistent with regards to species, height, caliper, locations, etc. Currently there are numerous inconsistencies – there are trees on the Boundary & Topographic Survey but not on the Tree Disposition Plan (LD-10).
7. **Staff does not support the placement of** water meter boxes, water service connections and/or lateral clean outs in the larger planting islands in front of the units; they should be placed in the smaller proposed islands that are not suitable for plantings.
8. Confirm with the City Utilities Department the relocation/planting of large oak trees within 5' of the Water Main lines (sheet LP-2).
9. Staff requests increasing the heights of trees throughout the planting islands and in front of the units as there is a limited amount of planting space throughout the site.
10. Use category 1, shade trees, in the 20'+ wide planting median at the entrance off W. Sunrise Blvd. in lieu of the proposed Sabal palms.

11. Do not place utilities in planting islands required by code (FPL transformers, fire hydrants and associated equipment, water meters, light poles, etc.); trees are required in these islands.
12. Plans submitted show numerous new and/or existing trees/palms either on the fence line or 1'-2' from the fence; trees/palms must be a minimum of 8' from the proposed fence.
13. Live oak # 2884 is listed in poor condition with a percentage rating of 50% - this is not consistent with the over-all tree disposition plan (i.e. tree # 2873 is listed as fair with a percentage rating of 50%, tree # 2882 is listed as fair with a percentage rating of 60%, etc.).
14. Include the spread on all plant material.
15. Staff requests the planting of aquatic planting throughout the littoral zones of the lake/retention pond. Please include on the planting plan and the plant list.
16. Please add shade trees & understory plantings around the retention lake.
17. Confirm the availability of 15 FL #1 or better, FG/BB Bulnesia trees.
18. Staff requests wrapping the utility lined with Bio barriers where trees are in the vicinity of underground lines; please note this on the plans with details.
19. Please include locations for root barriers where proposed, new, trees are to be planted within 10' of paved areas.
20. In lieu of the Bio barriers where new and/or existing trees are within 10' of paved areas please use the following minimum details:  
Minimum root barrier requirements:
 

1) Panel 0.085 thick polypropylene	3) Rounded edges	5) Anti-lift pads
2) Zipper join system	4) 24" depth	
21. All proposed trees to be removed or relocated require ISA approved mitigation values/appraisals based on Rule Chapter 140.030 of the Florida Administrative Codes. *Staff will work with the applicant as this project moves towards permitting.*
22. All proposed trees to be removed or relocated require ISA approved mitigation values/appraisals based on Rule Chapter 140.030 of the Florida Administrative Codes. *Staff will work with the applicant as this project moves towards permitting.*
23. Performance bonds are required on all trees to be relocated as per City codes. Staff will work with the applicant as this project moves towards permitting.
24. All proposed trees to be removed must be mitigated for as per City codes; tree mitigation will be above and beyond code required trees on the property. *Staff will work with the applicant as this project moves towards permitting.*
25. City staff will verify all trees proposed to be removed, remain, and/or relocated. *Staff will work with the applicant as this project moves towards permitting. Staff does not support the "removal" of "good" condition Sabal palms or Calophyllum trees throughout the site. (i.e. palms # 4504, 4509, 4510, 4902, 4903, etc.; tree # 2904, etc.)*
26. All landscape areas shall be provided with an automatically-operating underground irrigation system; with a minimum of 100% coverage, with 50% minimum overlap in ground cover and shrub areas. The rain sensor must be installed as well as a rust inhibitor if applicable. Irrigation plans must be submitted at time of permitting.

**BUILDING DEPARTMENT:** The Building Department does not review site level drawings.

1. Applicant is required to comply with the Florida Building Code, including all ADA requirements.

**FIRE DEPARTMENT:**

1. No objections as to this assignment of LAC units and site/elevation/landscape plans with the confirmation that the fire department comments on Staff Report to the City Council meeting of 11/18/2015 were satisfactorily addressed by attached proponent letter for Staff Report to the City Council meeting of 01/13/2016.

**POLICE DEPARTMENT:**

1. Construction phase recommendations

- Construction site and equipment should be enclosed, (Temporary Fencing), with proper use of "No Trespass" signs displayed for unauthorized individuals. Reference to F.S.S. 810.09 d (1)

2. External lighting recommendations:

Parking lots, vehicle roadways, pedestrian walkways and building entryways should have "adequate" levels of illumination. The American Crime Prevention Institute recommends the following levels of external illumination: Recommend revising current city code for lighting levels.

These levels may be subject to reduction in specific circumstances where after hours use is restricted.

- Parking Lots 3-5 foot-candles
- Walking Surfaces 3 foot-candles
- Recreational Areas 2-3 foot-candles
- Building Entryways 5 foot-candles
- Use metal halide/LED exterior lighting.
- A system of lighting fixture identification should be developed.
- The lighting fixture identification system should enable anyone to easily report a malfunctioning fixture.
- Exterior lighting should be controlled by automatic devices (preferably by photocell).
- Exterior lighting fixture lenses should be fabricated from polycarbonate, break-resistant materials.
- Plant materials, particularly tree foliage, should be trimmed back around light fixtures.
- Light fixtures below 10' in grade should be designed to make access to internal parts difficult (i.e. security screws, locked access panels).
- All switches, breakers and electrical panels that control lighting should be inaccessible to the public.
- If exterior lights are not being used at night exterior motion-detection lighting should be installed to detect the presence of intruders.
- Gated entrances. Installation of cameras?

**UTILITIES:** No objection to the site plan approval however the following comments apply if approved.

1. Prior to a Building Permit being issued, the following must be provided:

- \$500.00 review fee must be submitted to the Utilities Department
  - Water and Sewer Utility plans must be submitted to the Utilities dept. for review and approval.
  - BCHD and BC EPD Permits must be approved
  - Utilities Agreement must be executed
  - Utilities Performance Bond must be posted
  - Utility Easements must be executed
  - Utility Inspection fees must be paid
  - Capacity Charges must be paid in FULL.
  - Contact: Danny Pollio if you have any questions, 954-797-2209
1. This review is preliminary and considered conceptual. Should this project be approved final comments will be provided at time of Construction plan submittal and subject to outside agency approvals/comments. The final review could generate additional comments.
  2. A Trust account must be maintained with Utilities during the entire project
  3. Onsite improvements and equipment will be required at proponent's expense to support project.
  4. Show all existing water and wastewater facilities on site plan. Lines which will be removed were no show on plans but will be addressed at time of permitting if approved.
  5. Provide plan for vacating easements as necessary.
  6. Show all new and existing water and sewer lines and easements on landscaping and drainage plan.
  7. Maintain all utilities and utilities easements for water and wastewater system access.
  8. Full Utilities plan review & approval is required prior to permitting. No plans are for construction until marked "FINAL".
  9. No structures are allowed to be installed in Utility easements.
  10. All existing sewer mains (to remain) shall be video recorded by developer and reviewed by City.

11. All existing sewer manholes (to remain) shall be inspected by City. At discretion of City, any such mains shall be lined or replaced by developer and all manholes shall be interior coated with Mainstay (or approved equal) as needed.
  12. New vinyl coated fencing may be required around existing lift station.
  13. Driveway to existing Lift station must remain operational and may require replacement. This will be determined during construction.
  14. No category 1 trees allowed in utility easement.
  15. All new water mains to be pigged.
  16. No dead-end mains allowed.
  17. No trees installed by fire hydrants.
  18. All sewer mains and laterals to be SDR 26
  19. All new water mains to be installed over drainage lines.
- O.P.W.C.D.:** No objection.

## Appendix A

In connection with the Applicant's request for the allocation of LAC units at the Property, the Applicant is required to respond to the criteria set out in Section 19-71(b) of the City's Land Development Code ("Code") regarding the assignment of residential units. Applicant responses are in Times New Roman Font with *Staff responses are in Corbel Bold Italics Font.*

- (1) Whether there is a change in population, socio-economic factors, or physical development of property near or affecting the subject property, which change was unforeseen or unanticipated, and which change has created a present problem or opportunity that justifies utilizing any portion of the LAC residential unit allowance.**

**APPLICANT RESPONSE:** Based on the overall population growth within this area of City, the proposed Development of the Property will address the housing needs of the community and the residential demands in the area by providing a modern townhome community with attractive amenities for the residents of the City. In light of surrounding commercial, retail, and healthcare uses near the Property, including the office space at the Property, Plantation General Hospital and other related health care businesses less than .5 miles from the Property, West Broward Shopping Center approximately 1.5 miles from the Property, and a technology park within 2 miles of the Property with various retail uses, the uses surrounding the Property generate the need and opportunity justifying convenient residential options for people that visit and work within this area of the City. Additionally, the Property is located within close proximity to the following significant community amenities which the proposed Development will be an attractive residential option for those using such community amenities: Plantation Elementary (located within 1,000 feet of the Property), Parkway Middle School (located less than .5 miles from the Property), St. George Park (less than 1 mile from the Property); Jim Ward Community Center (less than 1 mile from the Property), and Central Broward Regional Park and Stadium (approximately 1.2 miles from the Property).

The proposed Development of the Property with residential townhomes is in line with the City's goal to develop and redevelop State Road 7 as it will provide new residential development in an area of the City where new residential development has not occurred in many years and the population is increasing. Adding new residential uses to this growing area of the City where no new residential development has occurred in a substantial amount of time will be a positive use of the Property when taking into consideration the various commercial, retail, and healthcare uses surrounding Property and addressing the residential needs in this growing area of the City.

***Staff Response:***

*There has been no change in population or socioeconomic factors affecting the subject property to justify the utilization of LAC residential units. The only change in nearby physical development is the expansion of the Rick Case vehicle storage lot located directly east of the site. Other than that, properties to the north, south, and west are unchanged as is most of the area along Sunrise Boulevard.*

- (2) Whether the project as proposed offers significant benefits not otherwise available to the city (for example, does the planning, design, and development of the property exceed the minimum otherwise required land development requirements in terms of reserving appropriate open space, development themes, taking advantage of natural and manmade conditions or environments, controlling pedestrian and vehicular traffic systems, substantially intensifying landscape or providing landscape**

contributions to the city, and improving or maintaining public infrastructure or giving the city a contribution in aid of infrastructure improvements or maintenance? Does the planning, design, and development of the property exceed setbacks and building separations? Is the planning, design, and development of the property compatible with the size and scale [building height, mass, and elevations] of existing or planned surrounding and nearby buildings and structures? Does the planning, design, and development of the property meet many or all of the aspirational principles that govern site design considerations, and reflect an orderly and creative arrangement of buildings and land uses as appropriate?).

**APPLICANT RESPONSE:** The primary land development regulations that will guide the proposed Development are the City's adoption of the SPI-2 zoning regulations. By obtaining LAC units to further develop the Property under the SPI-2 zoning regulations, the Applicant will provide modern residential options with updated and attractive amenities for the residents of the City in an area of the City that is continuing to grow based on the numerous commercial, retail, and healthcare uses near the Property such as the adjacent office, Plantation General Hospital and other related health care businesses, West Broward Shopping Center, and the technology park near the Property. Adding new residential uses to this growing area of the City where no new residential development has occurred in a substantial amount offers significant benefits not otherwise available in the City.

The design considerations for the proposed Development offer a creative arrangement of buildings and land use. The Applicant is incorporating open park space and a dog park (compliant with City noise ordinances) around the existing lake to maximize the aesthetic appearance and create an enjoyable atmosphere at the proposed Development. The proposed Development includes pedestrian paths and walkways, pedestrian gates at the main entry into the Property, ADA compliant ramps, and fire truck turning space which will control pedestrian and vehicular traffic systems at the Property. The proposed Development includes sidewalks at the center corridor of the community to promote pedestrian connectivity. The pedestrian orientation and safety of the proposed Development shall be emphasized through the use of walkways, lighting, a guard gate at the entry of the Property, and high visibility areas. The Applicant's proposed Development preserves many of the large trees currently existing at the Property which takes advantage of natural conditions and environments and the Applicant plans to intensify the landscaping at the Property.

A substantial benefit to the City is the Applicant's commitment to update the existing utilities, such as the lift station, which will improve and maintain the public infrastructure. In accordance with the zoning regulations, the buildings at the proposed Development are limited to two stories which are consistent with the size, appearance, and scale of surrounding buildings and structures. Attractive amenities planned for the proposed Development include a modern pool, gazebo, clubhouse, and tot lot which offers significant benefits to the residents of the City where new amenities such as the ones proposed for the Property are not otherwise available in this area of the City.

**Staff Response:**

*The development plan fails to exceed minimum city code requirements (design, landscape, and zoning) necessary to satisfy criteria No. 2. Not including landscape deficiencies, Ch. 27 zoning deficiencies include:*

- (a) Insufficient parking per townhouse.*
- (b) Insufficient garage size.*
- (c) Insufficient landscape pedestrian zone.*
- (d) Insufficient perimeter setback from the south lot line for some buildings.*
- (e) Failure to meet Plantation Tropical Design Guidelines (Building and Colors).*

(f) *Insufficient building separation for townhouse units, end-to end (minimum 30 is feet required; 15 to 27 feet is provided).*

**(3) The extent to which the project contributes to the tax base, adds employment, and provides other positive economic impacts.**

**APPLICANT RESPONSE:** The modifications of the Property for the proposed Development will complete the significant positive impacts on the City since it contemplates the development of townhomes in an area of the City that is not as developed with residential units as the rest of the City. The addition of 150 residential townhome units on the Property with attractive amenities will generate substantial ad valorem taxes (based on an average of the townhome sale prices, it will generate approximately \$647,700 in ad valorem taxes) and will stimulate the economy by the residents of the Property shopping and doing business in the community.

Adding new residential units where no new residential development has occurred in a substantial amount of time, coupled with popular commercial, healthcare, and retail uses within close proximity to the Property which attracts visitors and workers in this area of the City, will be a positive use of the Property from the standpoint of the surrounding area and residents of the City. The proposed Development may also trigger redevelopment of surrounding residential developments to upgrade their properties to stay in line with the new proposed Development which will provide other economic impacts.

The proposed Development will provide positive economic impacts in the City as it will provide convenient residential options for those that visit and work at the nearby surrounding commercial, retail, and healthcare uses near the Property, including the office space at the Property, Plantation General Hospital and other related health care businesses, West Broward Shopping Center, and the technology park. The Property is located within close proximity to the following significant community amenities which the proposed Development will be an attractive residential option for those using such community amenities: Plantation Elementary (located within 1,000 feet of the Property), Parkway Middle School (located less than .5 miles from the Property), St. George Park (less than 1 mile from the Property); Jim Ward Community Center (less than 1 mile from the Property), and Central Broward Regional Park and Stadium (approximately 1.2 miles from the Property).

**Staff Response:**

*The applicant originally provided methodology supporting his \$647,700 per year ad valorem tax estimate. Staff's analysis (see below) shows that the project will generate about \$206,205 in ad valorem taxes. It is unknown whether the ad valorem taxes will exceed, meet, or fall short of the cost to provide public services to Strata when completed.*

*The applicant has verbally stated that the townhouses will sell in the \$225,000 - \$250,000 range but has not indicated if this is the average price. For the purposes of this ad valorem tax base analysis, staff will assume all 150 townhouses will sell for \$250,000. Staff conservatively assumes that ½ the townhouses will be eligible for the \$50,000 homestead exemption. This reduces the value of the project to \$33,750,000. Assuming the community center, pool, and guardhouse are valued at \$1,200,000, the total value of the construction is 34,950,000.*

*Based on the maximum millage set by City Council for 2015/2016 (.0059), a \$34,950,000 project will generate about \$206,205 in tax revenue. If we increase the townhouse price to \$275,000 per unit and keep all other assumptions the same, the project will generate about 226,117 in taxes, again substantially less than suggested by the applicant.*

*Based on the size of the project (150 units), the HOA shall contract out maintenance and other services to and property management company.*

- (4) The extent to which the project impacts public services (e.g., fire, EMS, school, police, water, wastewater, stormwater, and other services), and generates negative secondary effects of odors, fumes, noise, traffic, or crime.**

**APPLICANT RESPONSE:** The Applicant has a vested interest in ensuring that all public services are adequate for future residents on the project and the City in general. The ad valorem taxes from the proposed Development will assist in the provisions of such services. A substantial benefit to the City is the Applicant's commitment to update the existing utilities, such as the lift station, which will improve and maintain the public infrastructure. The addition of residential units to the project is not expected to generate negative secondary effects of odors, fumes, noise or crime and the Applicant has confirmed that there is sufficient public service capacity to handle the residential demands of the proposed Development.

**Staff Response:**

*To be determined by the disciplines (City and County) responsible for assessing impacts to infrastructure, public safety services, and drainage.*

- (5) The extent to which the property has potential to be developed in a desirable manner under its present land use and zoning scheme without the application of LAC residential unit allowance and whether such foreseeable development is or is not more beneficial to the community.**

**APPLICANT RESPONSE:** The present zoning scheme is the adopted SPI-2 (health care services) zoning regulations. The City's SPI-2 district is of special and substantial public interest because of the need to develop and redevelop the State Road 7 area. This proposed Development shall serve as a principal entry into the City, and as an important community service and business area. The use of subdistrict regulations for this district is intended to stabilize and improve property values while at the same time, protecting the capacity of State Road 7 as a major carrier of large volumes of both regional and local traffic.

The proposed Development of modern townhomes with attractive amenities, along with the existing office use at the Property, will further the goals of the City's SPI-2 zoning district as the attractive townhome community, at the principal entry into the City, will stabilize and improve property values and generate economic activity within this area of the City. The development of the Property with residential townhomes is also in line with the City's goal to develop and redevelop State Road 7 as it will provide new residential development in an area of the City where new residential development has not occurred in many years and the population is increasing. Adding new residential uses in an area of the City where no new residential development has occurred in a substantial amount of time will be a positive use of the Property from the standpoint of the surrounding area and residents of the City.

Additionally, being that the Property is zoned SPI-2 health care services, this will complement the health care services being offered at Plantation General Hospital and other related health care businesses, along with other health care related businesses, that are located less than .5 miles from the Property. The proposed Development is consistent with the surrounding health care uses and will provide attractive residential options for those that work at Plantation General, other related health care businesses, and future healthcare related businesses in this area of the City.

**Staff Response:**

*On a conceptual level, townhouse use is a reasonable alternative to prior proposed uses if the project exceeds code requirements and the planning, design, and development of the property meets "many or all of the aspirational principles that govern site design considerations, and reflect an orderly and creative arrangement of buildings and land uses".*

*For the reasons stated in this report, the Strata site plan does not meet these standards and as such is not entitled to the allocation of LAC units. Staff believes Strata's density (11.5 units/acre) is a significant contributing factor for non-compliance with code requirements.*

*For comparison purposes, the two West Broward Boulevard townhouse projects (Riverwalk and the Cove) were built at six (6) units and eight (8) units per acre. The 'overbuilt' and multi-waiver Emerald Creek (with no usable open space) was approved for ten (10) units per acre.*

**(6) The nature and types of uses surrounding the subject property and whether the development proposal is compatible and complements those uses.**

**APPLICANT RESPONSE:** Currently, the Property is office use surrounded by vacant land to the north, and older construction single-family residential uses to the south and multi-family residential uses to the east and west of the Property. The addition of 150 residential townhome units with attractive amenities to the Property is consistent and compatible with the residential uses surrounding the Property. The proposed residential element will provide housing opportunities for employees of surrounding commercial, health care, and retail uses in the City which population is continuing to grow. Adding new residential uses to an area of the City where no new residential development has occurred in a substantial amount of time will be a positive use of the Property from the standpoint of the surrounding area and residents of the City.

**Staff Response:**

*Townhouse land use is generally compatible with the single-family residential land use but not in this case. The rear-yard building setback facing south does not meet the minimum requirement. The rear elevations of these buildings facing south are essentially flat.*

*One townhome building abuts the Rick Case vehicle storage lot (east). Staff recommends the applicant revise the site plan to add a six-foot high wall adjacent to this lot line. The applicant should be aware that buyers of these units may contend with potential impacts (noise, late night lighting) of the adjacent car lot in the future.*

**(7) The extent to which the proposed development is consistent with specific goals, objectives or policies of the city comprehensive plan (including specifically, the goals objectives, and policies of the local activity center future land use designation), as well as, if applicable, the Plan of Redevelopment of the Plantation Community Redevelopment Agency or the Plantation Midtown Plan.**

**APPLICANT RESPONSE:** The proposed development is consistent with the following goals, objectives and policies of the City's Comprehensive Plan:

**Objective 1.6** – Achieve growth and development (through the planning period and to build-out) which is guided by this plan, consistent with the adopted capital improvements program and a consolidated development

code which contains subdivision regulations, **innovative design**, planned community development districts, mixed use development provisions.

**Objective 1.7 Residential** - The City shall continue to provide for a variety of residential densities and housing types, including the provision for **innovative design**, particularly in the vacant western areas.

**Objective 1.7.1** The City's residential neighborhoods shall be planned so as to be free of disrupting through traffic, protected from conflicting uses by open spaces including the City's canal system and landscaped buffers. Residential communities shall be planned as clusters of neighborhoods including community-serving parks, schools and houses of worship. Shopping and commercial services shall be located to serve residential communities at or near the intersections of bounding collector or arterial streets.

**Objective 1.7.5** - The City shall continue the philosophy of locating higher density residential close to commercial activity centers and then transitioning to lower density residential.

**Staff Response:**

*Again, the townhouse concept is acceptable at this location; however, the project as designed fails to further the GOP's of the Comprehensive Plan:*

*(a) The LAC review criteria are nearly the same as the criteria used to evaluate proposed Comprehensive Plan amendments. As the site plan does not meet the majority of the SPI-2 criteria, approval of the site plan LAC unit application is not justified.*

*(b) The application is inconsistent with Objective 1.6 and 1.7 (above) as the application as submitted does not provide innovative design. Objectives 1.7.1 and 1.7.5 have no relevance.*

**(8) The extent to which LAC residential units will remain available for future use by the city under this section's requirements and under any possible regulatory scheme.**

**APPLICANT RESPONSE:** The City still has LAC units available to use on other projects within the City.

**Staff Response:** *1,207 LAC units are currently available.*

**(9) The extent to which the utilization of LAC residential units serves or does not serve the public's health, safety, or welfare**

**APPLICANT RESPONSE:** The proposed Development of the Property providing modern residential townhomes with attractive amenities for the citizens of the City is in the public's best interest. Providing additional residential townhomes in an area of the City with a variety of office, commercial, health care, and retail space will provide housing opportunities for those that work and conduct business within this area of the City that want to live in a family friendly environment with open space, pedestrian pathways, a pool, gazebo, tot lot, along with other attractive amenities. The pedestrian orientation and safety of the proposed Development shall be emphasized through the use of walkways, lighting and high visibility areas. Since there are adequate public facilities to serve the proposed Development, the residential development will not be detrimental to the public's health, safety or welfare. Adding new residential uses to an area of the City where no new residential development has occurred in a substantial amount of time will be a positive use of the Property from the standpoint of the surrounding area and residents of the City.

**Staff Response:**

*The utilization of LAC units is in the best interest of the public's welfare only if the project exceeds city code requirements, provides many or all of the aspirational principles that govern site design considerations, and reflects an orderly and creative arrangement of buildings and land uses. It is staff's opinion that the project does not meet these code requirements or standards.*

**(10) The future land use and needs of the community.**

**APPLICANT RESPONSE:** The proposed LAC allocation is consistent with the future land use and will help meet the City's housing needs of the community and will continue to reinvigorate this part of the City and surrounding uses by providing attractive housing options for the residents of the City.

**Staff Response:**

*Development of this property for townhouse development is a reasonable alternative only if the site plan is revised to exceed code requirements and provide exceptional design (site plan and architecture) as referenced in the PZED portion of the report.*

**(11) Such other policy considerations that may not be set forth above but which are nonetheless considered by the city governing body to be reasonable and appropriate under the circumstances.**

**APPLICANT RESPONSE:** No response required.

**Staff Response:** Addressed in previous comments.

\* \* \* \* \*

The following people spoke in opposition of the Ordinance:

4. Dennis Conklin
5. Kingsley Smith
6. Errol Brown
7. George Fullis
8. Clovis Forde
9. Paul Lewis
10. May Smith
11. Carlton Golding
12. Mrs. Shafner
13. O'Neil Chin
14. Sandra Gracie

The following person spoke in favor of the Ordinance:

1. Peter Jehlen

Councilmember Zimmerman closed the Public Hearing.

The City Council deliberated.

***Motion by Councilmember Stoner, seconded by Councilmember Jacobs, to approve the first reading of the ordinance for the assignment of the LAC units. Motion failed on the following roll call vote:***

Ayes: Jacobs, Stoner  
Nays: Tingom, Levy, Zimmerman

Mr. Laystrom questioned if the Council would possibly reconsider the item at a later date with a lower density.

***Motion by Councilmember Levy, seconded by Councilmember Stoner, to reconsider the item with a lower density at a future date. Motion carried on the following roll call vote:***

Ayes: Levy, Jacobs, Stoner, Zimmerman  
Nays: Tingom

\* \* \* \* \*

21. DEFERRED CONSIDERATION OF REQUEST FOR SITE PLAN, ELEVATION AND LANDSCAPE PLAN FOR STRATA LOCATED AT 4350 WEST SUNRISE BOULEVARD.

***No action required.***

\* \* \* \* \*

## **QUASI-JUDICIAL ITEMS**

19. REQUEST FOR WITHDRAWAL OF VACATION OF NEIGHBORHOOD IDENTIFICATION MONUMENT SIGN FOR BROADSTONE PLANTATION. PROPERTY LOCATED AT 6901 WEST SUNRISE BOULEVARD.

***This item was withdrawn.***

\* \* \* \* \*

20. DEFERRED CONSIDERATION OF REQUEST FOR A SITE PLAN MODIFICATION (PARKING WAIVER) FOR THE COFE PROPERTIES (PP15-0039). PROPERTY LOCATED AT 1700-1800 NW 66 AVENUE AND ZONED I-LP.

Mr. Lunny read the title.

William Laystrom, Attorney was present for the Applicant.

Planning and Zoning Comments follow:

**REQUEST:** Consideration of request for a site plan modification (parking waiver) for the COFE Properties.

**WAIVER REQUEST:**

- 1) To reduce the required parking from 506 parking spaces to 375 parking spaces to allow a 10,180 square foot call center (26% deficiency).

**EXHIBITS TO BE INCLUDED:** Planning and Zoning Division report; subject site map; and development review application.

**ANAYLSIS:**

The subject property is zoned I-LP (Light Industrial), approximately 7.85 acres in area, and developed with two office/industrial buildings encompassing 98,920 square feet. The property is bound on all sides by industrial/office/warehouse buildings zoned I-LP.

The building is 90% occupied with 10,180 square feet (10%) vacant. The existing tenant breakdown is 42% office, 48% industrial, and 10% vacant. Although there is no tenant specific request, the applicant is requesting a parking waiver to utilize the vacant space as a call center. Since the applicant has provided no floor-cubicle plan, staff calculates call center parking based on one space/50 sq. ft. (city code) for the entire 10,180 sq. ft. area.

The existing tenant mix requires 302 parking spaces and the proposed call center requires 204 parking spaces for a cumulative city code requirement of 506 spaces. Three hundred seventy five (375) parking spaces are provided resulting in a 131 space (26%) deficiency.

In the absence of a floor plan-cubicle plan for the call center, staff has conducted a random search of other city requirements for call center use. Many cities require between 1/75 to 1/100 for call centers. Applying the 1/75 standard, the call center would require 138 spaces, reducing the parking shortfall to about 15%. Applying the 1/100 standard would reduce the shortfall to about 7%.

**STAFF COMMENTS:**

**PLANNING AND ZONING:**

Zoning:

- 1. The traffic consultant’s e-mail analysis assumes that 86% of the building is occupied by office use and this equates to one parking space per 667 sq. ft. of floor area. The consultant’s office occupancy rate leads to an office parking demand that is inconsistent with nationally accepted standards.
  - a. Staff inventory of current business licenses indicates 42% office, 48% industrial and 10% vacant.
  - b. General office standards nationwide (non-call center) vary between one space per 200 to one space per 300 square feet of gross floor area. The one space per 667 sq. ft. of office space is more than double the generally acceptable office parking standards.
- 2. As long as MetroPCS continues to operate their low intensity switching station, staff believes sufficient parking may be available for a call center. If MetroPCS is replaced by a conventional industrial use, staff estimates a 5% - 10% shortfall, however this may change upon submission of a cubicle-floor plan.

\* \* \* \* \*

***Motion by Councilmember Jacobs, seconded by Councilmember Levy, to approve the site plan modification, including waivers subject to staff comments. Motion carried on the following roll call vote:***

Ayes: Tingom, Jacobs, Levy, Stoner, Zimmerman

Nays: None

\* \* \* \* \*

**COMMENTS BY COUNCIL MEMBERS**

**Councilmember Jacobs**

- He spoke about the proposed transportation infrastructure tax that will be on the November ballot. He stated the City would benefit it were to pass.

\* \* \* \* \*

**Mayor Bendekovic**

- She reminded the public of the upcoming Martin Luther King celebration on January 17 at 3pm at Plantation United Methodist Church.
- She announced to the Council and public that Council meetings have resumed the meeting schedule of the second and fourth Wednesday’s of the month.

\* \* \* \* \*

**Public Requests of the Council Concerning Municipal Affairs:**

Dennis Conklin, 4581 NW 6 Court – thanked the council and apologized for disrupting the meeting earlier.

O’Neil Chin, 4857 NW 7 Court– he thanked the council and clarified his opposition to the Strata project.

Jerry Fadgen, 7379 SW 9 Court – he spoke about the inflow and outflow of businesses in the City. Mr. Fadgen remarked on the recent publicity the City received regarding a local christmas display.

\* \* \* \* \*

Meeting adjourned at 11:02 p.m.

\* \* \* \* \*

\_\_\_\_\_  
Councilmember Chris Zimmerman, President  
City Council

**ATTEST:**

\_\_\_\_\_  
Susan Slattery  
City Clerk

RECORD ENTRY:

I HEREBY CERTIFY that the Original of the foregoing signed Minutes was received by the Office of the City Clerk and entered into the Public Record this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Susan Slattery, City Clerk