

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Barbara McDaniel, MMC, Assistant Town Clerk/954-797-1023

PREPARED BY: Barbara McDaniel, MMC, Assistant Town Clerk

SUBJECT: August 20, 2007 minutes

AFFECTED DISTRICT: n/a

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: August 20, 2007 (Workshop Meeting)

REPORT IN BRIEF: Council minutes from the August 20, 2007 Council meeting.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Motion to approve

Attachment(s): August 20, 2007 minutes

TOWN OF DAVIE
WORKSHOP MEETING
AUGUST 20, 2007

Deleted: 2

The meeting was called to order at 7:05 p.m. and was followed by the Pledge of Allegiance.

Present at the meeting were Mayor Truex, Vice-Mayor Caletka, and Councilmembers Crowley, Luis, and Starkey. Also present were Assistant Town Administrator Cohen, Town Attorney Rayson, and Assistant Town Clerk McDaniel recording the meeting.

1. Regional Activity Center Master Plan - EDSA and Associates

Master Plan Overview

Kona Gray, representing EDSA, announced the Town was now in the implementation phase. He pointed out the 2,200-acre study area, which abutted I-595 and Florida's Turnpike. Mr. Gray referred to a chart which described the existing land use category and advised that they had worked closely with the Department of Transportation and their transportation engineers had come up with a three-phase plan for future transit: including a loop system in phase one to circulate people to downtown Davie, an east-west connector to University Drive to mass transportation, and another connector to the Oakes Road crossing, allowing full connectivity. He explained that this sort of transit oriented mixed-use development would allow people to work and live in the Town of Davie.

Land Development Regulations

Mr. Gray explained that the land development regulations were their tool to envision the Master Plan. He stated that a task force should be created to shepherd this Plan through the entire process, and senior staff positions should be created to be responsible for adhering to the vision of the Regional Activity Center (RAC). An expedited permit process for developers should also be introduced.

Mr. Gray stated that a building's height was not by right, but was an incentive, which gave the Town the opportunity to work with developers to achieve objectives such as affordable housing and green building. He explained that in the town center area, heights varied from two to four stories to six to ten stories.

Vice-Mayor Caletka advised that there were areas where single-family homes abutted an area where four-story buildings would be permitted, and because of this, the residential homes would lose their privacy. Mr. Gray responded that there must be a good transition and this included stepping back taller buildings so they did not overshadow shorter buildings. He said language to this effect could be included in the land development regulations.

Joe Andriola said they had discussed transition zones where height would step down gradually and said this involved another layer of development mapping.

Jeff Katims explained that there were special transitions to existing single-family areas on the edges of the RAC. He said in the future plan, areas currently zoned R-5 would be targeted for more intense development. Mr. Katims stated that a happy medium must be found that would not infringe upon single-family residents' enjoyment of their properties, and would not constrain development on Davie Road. He felt some combination of special window treatments and landscaping would be a good interim measure.

Mr. Cohen stated that Council had the ability to regulate heights and a developer must do certain things in exchange for additional height. He suggested that any developer who wanted to build over two stories in this area should be required to provide some form of mitigation.

Councilmember Crowley did not object to the heights on State Road 84, but he was concerned with areas south of Oakes Road and 39th Street. He said he would like to see heights limited to three stories there.

Councilmember Starkey stated that her biggest concern was that there be lush landscaping buffers. She was also concerned with residential properties between Nova and Oakes Road where 10 stories would be allowed. Councilmember Starkey would not support this kind of height without a lot of trade-offs, and she felt they must include stricter trade-offs within the Code now to avoid problems in the future. Mr. Andriola said they could define the requirements within the land development regulations. Councilmember Starkey wanted to include adding specific types of amenities in this area, such as the wrought iron waste receptacles and pavers such as those currently along Davie Road. Mr. Andriola suggested Council develop a list of very specific things that would be required as trade-offs.

Councilmember Luis stated that the Town must be very careful about discouraging height. He thought architects could be very creative and sensitive to abutting properties, and homeowners should realize that the RAC would increase the value of their homes. Councilmember Luis felt that 10 stories near I-595 was not high enough and this was the perfect place for a high-rise building. Mr. Gray said that this was intended to be flexible and to provide options on a case-by-case basis.

Jack Loos indicated that most governments sought nonresidential development because it was a high contributor to tax revenue and a low consumer of services. He felt they were creating disincentives to the type of commercial development that would help all the citizens by keeping taxes down. Mr. Loos wanted Council to encourage quality, tax-contributing development within the scale they desired.

Pete Witschen stated that they were creating the transit plan and building land uses around it. They did not want to create urban sprawl and he felt that if they designed it properly, any congestion would be positive and would flow out to the outlying neighborhoods. Mr. Witschen felt bad design was the enemy, not height. He remarked that maintaining their western lifestyle would not come cheaply, and they had the opportunity to create something special. Mr. Witschen noted that since this was transit-based, there must be certain development intensities to make that work.

Mark Engle said if the developer was held to just two or three stories, they would not build affordable housing because it would not be worth it. He felt they should offer incentives such as additional height to encourage affordable housing. Mr. Andriola noted that incentives must be significant enough to matter.

Mayor Truex felt the goal must be to manage their growth, not to obstruct it. He stated that the plan must be both flexible and subjective, and must benefit the whole Town. Mayor Truex said they could use the RAC to maintain their open-space areas. He felt some concepts were not sufficiently fleshed out in the plan yet. Mayor Truex said affordable housing was a 100% necessity, and they would need to be flexible in order to accomplish this. He felt the plan should be a tool they could use to get everybody on the

same page. Mayor Truex acknowledged that development would invariably occur, and they must manage it and ensure that it benefited the entire Town.

Mr. Andriola stated that the two fundamental principles were to identify areas for density in order to maintain rural areas and introduce transit. Mr. Katims reminded Council that the land development regulations were only a portion of their ongoing planning efforts and noted that the comprehensive plan must be amended to implement this. Acting Planning and Zoning Manager Marcie Nolan said that staff was aware of the urban growth boundary concern and were doing their best to implement this in the comprehensive plan.

Housing & Community Development Director Shirley Taylor-Prakelt stated that it was inappropriate to insinuate that the inclusion of workforce or affordable housing in mixed-use development was a disincentive. She pointed out that the whole concept of redevelopment was mixed-use/mixed-income, to bring people to work and play into the area. Ms. Taylor-Prakelt noted that the plan was taking away thousands of residences that were currently occupied by lower income families and senior citizens on fixed incomes. These units must be placed back into inventory or the Town would lose the very workforce they wanted employed in this neighborhood. Ms. Taylor-Prakelt said workforce/affordable housing would not in any way impede development and noted that the most successful mixed-use projects always had affordable housing components.

Ms. Taylor-Prakelt felt it unrealistic and inappropriate to speak of the RAC, the Traffic Oriented Corridor, the Griffin Road corridor or the downtown Davie development without acknowledging that there was an unprecedented affordable housing crisis in South Florida, with more people on the verge of becoming homeless now than ever. If they did not properly incorporate these aspects into their developments, no one would succeed.

Jeff Weidner said that the Florida Department of Transportation had participated in the study. and indicated that DOT was planning a light rail system, but had fallen short of federal requirements for ridership. In order to achieve higher ridership, they had worked with cities on the corridor to identify areas for higher-density development. In Davie, the modeling showed more traffic in the college area than in downtown Fort Lauderdale. Mr. Weidner said they had already identified a location for a transit hub and they must plan ahead to prevent development at this site.

Mr. Andriola warned that a potential unintended consequence of not permitting taller development along Davie Road would be that developers would move into back areas with taller buildings, and leave Davie Road underdeveloped.

Mayor Truex felt they should go forward with the existing map. Vice-Mayor Caletka felt as long as they had the flexibility to say no, he was happy.

Architecture

Mr. Andriola said they had decided from the beginning against a specific architectural theme and they had also determined that pedestrian-oriented articulated architecture with varied massing was important. He stated that they had placed an emphasis on authenticity of architectural expression and materials, and had specific language against fake materials.

Mr. Andriola said they had a general principle in the guidelines, and a set of specific principles to which developers could refer, and a few laws defining must or must not be done. This would provide the flexibility to approve or deny a project.

Mayor Truex asked about the existing western-themed development areas. Redevelopment Administrator Will Allen responded that they had discussed expanding on the western theme, but it currently was not obligatory. Mayor Truex wanted to continue to require this in areas where it already existed, allowing it to be tweaked a bit. Councilmember Starkey said they had sought a historical district as well, and wanted architecture along Davie Road to be in the Florida vernacular style.

Mr. Gray noted that landscaping could be used to tie differing architectural designs together. Vice-Mayor Caletka said he wanted the architecture to be mindful of

shadows. Councilmember Crowley wanted to keep Green Building concepts in mind as well.

Process

Mr. Gray said it was very important to create a task force of individuals who knew the plan inside out and could act as liaisons. Councilmember Starkey wanted to ensure that stakeholders in the area agreed with their plan. She also wanted to investigate whether a supermajority of Council would be required to deviate from the plan.

Vice-Mayor Caletka felt there were three qualities that should qualify a project for fast-tracking: Green Building concepts, affordable housing component, and compliance with minimum building height.

Mr. Katims explained that the process must back up their wishes for the area and the challenge was to minimize the types of applications that required full review. He stated that compatibility was not achieved within the RAC through separation of landscaping, but through design and building form.

Mr. Katims said since they had determined essentially what things would look like, the process that they proposed was to put as many of the approvals as possible in the hands of staff. This would maximize predictability, without removing discretion for sensitive areas. Mr. Katims explained that the ordinance also designated the steering committee as an advisory committee to the Development Review Committee (DRC), which was the staff. He stated that the ordinance proposed moving away from the variance process because deviation from the plan should be form-based and design-based and project components were no longer based on conventional zoning, but were part of a process with built-in flexibility. The steering committee and DRC would have as much discretion as possible regarding where the lines were drawn.

Councilmember Starkey wanted projects to come to Council through the normal process, and did not favor allowing staff to have such control over the design approval. Mr. Katims said they had anticipated resistance, but they were trying to find ways to accommodate some of the projects. Councilmember Starkey wanted to be able to fast-track a project, provided a project met certain criteria, and passed their planning and zoning process. Mr. Gray stated that since the entire area would be rezoned as the RAC, they could skip the Planning and Zoning Board step.

Chris Akabuso wondered how the centralized parking garages would affect school traffic. He noted that the School Board must be consulted to ensure there was no negative impact on the schools. Mr. Gray said that they were very conscious that schools and other entities had their own rules and master plans in place, and they had been flexible in allowing these entities to implement some of the new suggestions, and to maintain an open dialogue. Mr. Weidner said transit was not a good means for reducing traffic at elementary or middle schools.

Public Comment

Mayor Truex invited public comment.

Paula Twitty was disappointed there was no presentation posted to the Town's web site that would inform residents about this project. Mr. Gray said all of this information was available. Mayor Truex recommended adding this information to the Town's web site.

Ms. Twitty stated that the height issues were not as important as other issues. She was concerned about developers' devoting significant time and money to projects only to have them rejected. Ms. Twitty felt there were incentives that could be offered developers for affordable housing.

Mr. Gray stated that Phase 5 was where they would show what the plan was all about and see the entire process. He said they would continue to modify the land development regulations.

Councilmember Starkey asked Mr. Cohen not to make this item convoluted when it was presented to Council, and to allow time for stakeholders' input. Ms. Nolan said the document was already constructed in land development code language. She asked Council to go through the document and consult with staff, if need be, to refine the language prior to its presentation to Council for approval.

Councilmember Crowley wanted the final phase to include a commitment regarding where they would get the water for new development. Mr. Gray said the engineering and utility staff were aware of the plan proposals and said he would continue to consult with them.

Austin Forman said the land development regulations and water issues were separate. The goal of the steering committee had been to develop a code, which had nothing to do with water issues. The land-use change was where water availability should be addressed. Mr. Forman encouraged Council to move forward to implement the RAC.

Mr. Katims noted that the RAC was already entitled, within the land-use plan, to more development than the Town could currently supply water. He added that adding a significant number of residential units in the RAC would require Broward County and State review, and this is where the water issue would be examined.

There being no further business to discuss and no objections, the meeting was adjourned at 9:29 p.m.

Approved _____

Mayor/Councilmember

Town Clerk