



CITY OF FORT LAUDERDALE

**PLANNING AND ZONING BOARD MEETING MINUTES
DEVELOPMENT SERVICES DEPARTMENT
700 NW 19 AVENUE, FORT LAUDERDALE, FL 33311
WEDNESDAY, OCTOBER 15, 2025 – 6:00 P.M.**

Board Members	Attendance	Present	Absent
Patrick McTigue, Chair	P	5	0
Shari McCartney, Vice Chair	P	5	0
Kevin Buckley	P	4	1
Hector DelaTorres	P	1	1
Brian Donaldson	P	5	0
Whitney Dutton	P	4	1
Steve Ganon	P	5	0
Jacquelyn Scott	P	4	1
Alexander Spence	P	2	0

Staff

Ella Parker, Development Services Deputy Director
Anthony Fajardo, Development Services Director
D'Wayne Spence, Interim City Attorney
Karlanne Devonish, Principal Urban Planner
Jim Hetzel, Principal Urban Planner
Lorraine Tappen, Principal Urban Planner
Jonathan D'Angelo, Urban Planner I
Michael Ferrera, Urban Planner II
Adam Schnell, Urban Planner III
Tyler LaForme, Urban Planner III
Clarence Woods, CRA Manager
Cija Omengebar, CRA Planner
N. Day, Recording Clerk, Prototype, Inc.

Communication to City Commission

Motion made by Ms. Scott, seconded by Mr. Donaldson, that the Planning and Zoning Board requests the City Commission to consider directing Planning and Zoning Staff to evaluate large-scale townhome projects, specifically projects consisting of more than 10 units, to determine whether such projects should be subject to review and approval by the Planning and Zoning Board. The intent of this request is to establish a formal threshold in which townhome projects should receive additional oversight and provide an opportunity for public input through the Board's review process. In a roll call vote, the **motion** passed unanimously (9-0).

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:02 p.m. and the Pledge of Allegiance was recited.



CITY OF FORT LAUDERDALE

DRAFT

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I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

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II. DETERMINATION OF QUORUM / APPROVAL OF MINUTES

Motion made by Mr. Dutton, seconded by Vice Chair McCartney, to approve. In a voice vote, the **motion** passed unanimously (9-0).

III. PUBLIC SIGN-IN / SWEARING-IN

Chair McTigue introduced the Board members, and Development Services Deputy Director Ella Parker introduced the Staff members present.

IV. AGENDA ITEMS

Index

<u>Case Number</u>	<u>Applicant</u>
1. UDP-S24047**	1545 SE 15 Street Holding, LLC
2. UDP-S25014**	Holy Cross Hospital
3. UDP-S24035**	A1A N Ocean Blvd, LLC, 2307 N Ocean LLC, 2301 N Ocean Blvd LLC, 2237 N Ocean Blvd LLC
4. UDP-T25009*	City of Fort Lauderdale
5. UDP-Z25002*	City of Fort Lauderdale
6. UDP-T25010*	City of Fort Lauderdale
7. UDP-L25003*	Pinnacle Corporate Park, LLC

Special Notes:

Local Planning Agency (LPA) items (*) – In these cases, the Planning and Zoning Board will act as the Local Planning Agency (LPA). Recommendation of approval will include a finding of consistency with the City's Comprehensive Plan and the criteria for rezoning (in the case of rezoning requests).

Quasi-Judicial items ()** – Board members disclose any communication or site visit they have had pursuant to Section 47-1.13 of the ULDR. All persons speaking on quasi-judicial matters will be sworn in and will be subject to cross-examination.

1. CASE: UDP-S24047

REQUEST: ** Site Plan Level III Review: Waterway Use, Yard Modifications for Five-Unit Residential Development

APPLICANT: 1545 SE 15 Street Holding, LLC.

AGENT: Denise Dugan, Trantalis and Associates

PROJECT NAME: 1545 SE 15th Street Holding Condos

ADDRESS: 1545 SE 15 Street

ABBREVIATED LEGAL DESCRIPTION: Herzfelds Add Lot 25 Blk 2

ZONING DISTRICT: Residential Multifamily Mid Rise/Medium High Density District (RMM-25)

LAND USE: High Residential

COMMISSION DISTRICT: 4 – Ben Sorensen

NEIGHBORHOOD ASSOCIATION: Harbordale Civic Association
CASE PLANNER: Michael Ferrera

Chair McTigue advised that the Applicant for this Item has requested its deferral to the next Board meeting, which is scheduled for November 19, 2025.

Motion made by Ms. Scott, seconded by Mr. Ganon, to defer. In a voice vote, the **motion** passed unanimously (9-0).

Chair McTigue noted that it was suggested the Items on tonight's Agenda be heard in the following order: Items 2, 6, 7, 3, 4, and 5.

Motion made by Vice Chair McCartney, seconded by Mr. Dutton, to support moving those Agenda Items to expedite things. In a voice vote, the **motion** passed unanimously (9-0).

2. CASE: UDP-S25014

REQUEST: ** Site Plan Level III Review: Conditional Use for 11,721 Square-Foot Outpatient Emergency Department, 10,071 Square-Foot Medical Clinic, and 20,000 Square-Foot Medical Office

APPLICANT: Holy Cross Hospital

AGENT: Stephen Tilbrook, Akerman, LLP.

PROJECT NAME: Holy Cross Comprehensive Outpatient Center with Emergency Department

ADDRESS: 200 E. Sunrise Boulevard

ABBREVIATED LEGAL DESCRIPTION: Progresso 2-18 D Lots 5 Thru 11,32 Thru 44, N 100 Less N 15 For St Blk 213

ZONING DISTRICT: Northwest Regional Activity Center-Mixed Use Northeast District (NWRAC-MUne)

LAND USE: Northwest Regional Activity Center

COMMISSION DISTRICT: 2 – Steven Glassman

NEIGHBORHOOD ASSOCIATION: Progresso Village Civic Association

CASE PLANNER: Adam Schnell

Disclosures were made at this time.

Interim City Attorney D'Wayne Spence swore in any individuals wishing to speak on this Item.

Steve Tilbrook, representing the Applicant, showed a PowerPoint presentation on the Application, which requests Site Plan Level III conditional use approval for the proposed outpatient center and emergency department. The facility is intended to provide equitable access to both emergency and specialty health care as well as economic development to stimulate investment.

The subject site is currently a strip shopping center and former auto dealership. Its zoning is Northwest Regional Activity Center-Mixed Use Northeast District (NWRAC-MUne), with a land

use of Northwest Regional Activity Center (RAC). The project's goal is compliance with the Northwest Master Plan's design guidelines. This will include demolition of the existing strip shopping center and new construction that meets those design guidelines. The proposed plan includes a two-story health center as well as a parking garage.

The program proposed by Holy Cross Health is intended to meet the needs of the City's growing Downtown community. It will also address the needs of the Northwest CRA and surrounding community, which has historically been underserved for health care. The new emergency department is expected to reduce emergency overload at other hospitals.

Mr. Tilbrook reviewed the Site Plan, which proposes a two-story health center with a two-floor parking garage. The emergency department consists of 11,721 sq. ft. of space, including 12 treatment rooms and an imaging suite. The outpatient center will be located on the east side of the first floor, with 18 treatment rooms and specialty care. The second floor will include a 20,000 sq. ft. extension of the medical clinic. Services on this floor will be tailored to the needs of the community, with possibilities including a surgical suite, imaging, and additional outpatient services.

The parking garage will be a 141-space enclosed facility on the south side of the project. Code requires 128 spaces. A covered corridor will be in place between the garage and the health care facility. The west side of the emergency department includes an ambulance drop-off area.

Mr. Tilbrook reviewed the site's landscape plan, which is intended to enhance the pedestrian environment directly at the street front, including shade trees and focusing on native materials. The facility will also have enhanced drainage, and all utilities will be buried, including a Florida Power and Light (FPL) line which provides service for the full Downtown area.

The project has been approved by the City's Development Review Committee (DRC), and the Applicant has conducted public participation meetings. The Applicant's backup materials include a letter of support from the South Middle River Civic Association, which is the neighborhood adjacent to the site.

The Applicant's goal is to complete the first phase of the project, which includes the ground floor, for occupation by June 2027. The project is before the Board for conditional use approval because its hospital component includes an emergency department, although many outpatient and clinical components would be permitted by right.

Mr. Tilbrook concluded that the project is consistent and compatible with the Northwest RAC and CRA communities, supports growth of the Downtown area, and provides significant economic investment in the CRA by creating over 200 jobs. It is located on a commercial corridor where it will not impact adjacent neighborhoods, and is expected to improve the health, safety, and welfare of the community.

At this time Chair McTigue opened the public hearing.

Olga Zamora, private citizen, stated that she resides in the South Middle River neighborhood, which is located across Sunrise Boulevard from the subject property. She advised that the proposed facility can provide meaningful services to the surrounding community and adheres to the Northwest Progresso area's design plan. She was supportive of the project.

As there were no other individuals wishing to speak on the Item, the Chair closed the public hearing and brought the discussion back to the Board.

Ms. Scott asked if the facility will include beds for acute emergencies. Mr. Tilbrook replied that an offsite emergency room limits patients' stay to no more than 24 hours. The facility will not serve the most acute cases, such as severe injuries; these will be directed to acute care hospitals. If a patient needs care for more than 24 hours, they would be transported to another facility.

Ms. Scott also asked what would happen to a patient experiencing an emergency who does not have health insurance. Mr. Tilbrook stated that all patients will be served at the hospital.

Motion made by Mr. Dutton, seconded by Mr. Donaldson, to adopt the Resolution approving a Site Plan Level III, Case Number UDP-S25014, based on the following findings of fact, the facts in the City Staff Report, and/or the testimony heard by the Applicant, and the Board hereby finds that the Application meets the standards and requirements in the ULDR and criteria for the proposed use as cited in the Resolution; if conditions, state the approval of the Application is subject to all conditions included in the City Staff Report and state any other applicable conditions on the record.

Attorney Spence read the following Resolution into the record:

Planning and Zoning Board Resolution 25-10: A Resolution of the Planning and Zoning Board of the City of Fort Lauderdale, Florida, approving a Site Plan Level III Conditional Use development permit for an 11,721 sq. ft. development, an outpatient emergency department, and 30,071 sq. ft. of medical clinic space for the property located at 200 E. Sunrise Boulevard, Fort Lauderdale Florida, in the Northwest Regional Activity Center Mixed-use Northeast District, Case Number UDP-S25014; providing for conflicts, providing for severability, providing for an effective date.

In a roll call vote, the **motion** passed unanimously (9-0).

6. CASE: UDP-T25010

REQUEST: * Amend City of Fort Lauderdale Unified Flex Policy

APPLICANT: City of Fort Lauderdale

PROJECT NAME: Unified Flex Policy Amendment

COMMISSION DISTRICT: 1, 2, 3 and 4

CASE PLANNER: Jim Hetzel, AICP

Jim Hetzel, Principal Urban Planner, stated that this Item is a proposed Amendment to the City's Unified Flex Policy which would reallocate affordable flex units to the Unified Flex Plan. In 2018, the City adopted a unified flex strategy and policy which collapsed 18 different geographic zones throughout the City into a single unified zone for the allocation of flex units along the City's major corridors and in its RACs. This initiative was undertaken at the direction of the City Commission.

Mr. Hetzel continued that in 2020, the City formally adopted affordable housing regulations which focused on an incentive-based program to encourage the construction of affordable housing units. In 2022, Broward County's Land Use Plan adopted what is known as the Geller Amendment, which also provided incentives for affordable housing and offered a payment in lieu option. The state of Florida also passed the Live Local Act, which allows affordable housing construction throughout a municipality in different zoning categories, including commercial, industrial, and mixed use.

The Unified Flex Policy and the other County and state policies cited above provide incentives for developers to construct affordable housing. The result is a pool of units which have a separate line item for affordable housing within the flex policy. Since that time, however, developers have not requested the allocation of these units.

The City proposes to reallocate unused affordable units to the Unified Flex Units, which covers a limited area throughout the City along its corridors and RACs. This will open up units for use by other City programs. The end result would be a total reallocation of 1,736 affordable units to the pool of flex units, which would be available as soon as they are reallocated.

Benefits of the reallocation include:

- Helps the Transfer of Development Rights (TDR) program
- Helps properties that are ineligible for other policies
- Can still be allocated to affordable housing projects
- Will permit allocation of redevelopment units once all flex units have been exhausted

The Board is asked to provide a recommendation in its capacity as Local Planning Agency (LPA) to move this policy forward to the City Commission for approval. The proposed Amendment does not require Broward County approval.

Mr. Ganon requested further clarification of the City's allocation of flex units. Mr. Hetzel explained that the City has used all its flex units with the exception of affordable units, which are restricted to a separate line item. Broward County views this as the City having more available flex units.

At this time Chair McTigue opened the public hearing. As there were no individuals wishing to speak on the Item, the Chair closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Donaldson, seconded by Mr. Dutton, to approve Case Number UDP-T25010. In a roll call vote, the **motion** passed unanimously.

7. CASE: UDP-L25003

REQUEST: * Amend City of Fort Lauderdale's Comprehensive Plan, Future Land Use Element, Uptown Transit Oriented Development Designation, Amending Restriction on Residential Use East of Powerline Road, South of Cypress Creek Road, west of the Florida CSX Railroad

APPLICANT: Pinnacle Corporate Park, LLC.

LAND USE: Transit Oriented Development (TOD)

COMMISSION DISTRICT: 1 - John Herbst

CASE PLANNER: Tyler Laforme, AICP

Disclosures were made at this time.

Nectaria Chakas, representing the Applicant, explained that the subject property is part of the newly enacted Uptown Urban Village Transit-Oriented Development area. There were restrictions on where residential units may be located within this area; for example, residential units were not permitted in a portion of the Applicant's property due to its proximity to the Fort Lauderdale Executive Airport (FXE).

Since that time, the Applicant has met with representatives of FXE and Broward County as well as City Staff. It has now been determined that the subject area is appropriate for residential uses, and the scope of residential development has been expanded within the Transit-Oriented Development (TOD) area. The Applicant will return before the Planning and Zoning Board with a proposed Code Amendment that will further refine some of the requirements for residential development in the subject area.

Ms. Chakas recalled that when the City adopted the Uptown Urban Village TOD area, it adopted over 4,000 units proposed for that area. Comments adopted as part of this approval process pointed out that this area can include residential development; however, a portion of the TOD area was excluded from permitting residential development. The proposed Amendment would make the area eligible for residential development.

At this time Chair McTigue opened the public hearing. As there were no individuals wishing to speak on the Item, the Chair closed the public hearing and brought the discussion back to the Board.

Attorney Spence explained that this Item proposes a Land Use Plan Amendment and requires the Board to act in its capacity as LPA. They are asked to make a recommendation on the deletion of specific language from the City's Comprehensive Plan.

It was asked why the area was originally excluded from permitting residential development. Ms. Chakas advised that at the time, the City was using a Master Plan map which included the future extension of a runway at FXE. The map reflected decibel levels at certain parts of

the TOD which raised concerns for residential development. Because there were several other components of the Uptown Urban Village to be considered, the proposal passed at that time. She clarified that the map to be used for land use decisions was adopted in 2015 and is consistent with Federal Aviation Administration (FAA) regulations for compatibility in land use decisions. Noise levels have been tested on the subject property and it was determined that the TOD lies outside any areas of concern.

Attorney Spence added that if the Board approves the Application, it would remove language which specifically states that residential uses are only permitted within the Uptown TOD boundaries located east of Powerline Road, north of Cypress Creek Road, east of Andrews Avenue, and south of Cypress Creek Road. State Statutes oversee airport zoning regulations; however, this Item addresses a Land Use Plan regulation. There is no need for the proposed restriction within the Land Use Plan, and concerns with statutory restrictions on airport zoning can be addressed by the ULDR at the City Commission level. Removing the restriction does not negate the City's ability to comply with State Statutes.

Motion made by Mr. Ganon, seconded by Ms. Scott, to recommend approval of Case Number UDP-L25003 to amend the City of Fort Lauderdale Comprehensive Plan Future Land Use Element, Uptown Transit-Oriented Development Designation, amending restriction on residential use east of Powerline Road, south of Cypress Creek Road, west of the Florida CSX railroad, and the Board hereby finds the text amendment to the ULDR consistent with the Comprehensive Plan. In a roll call vote, the **motion** passed unanimously (9-0).

3. CASE: UDP-S24035

REQUEST: ** Site Plan Level III Review: Conditional Use for Increased Building Height and Yard Modifications for a 39-Unit Multifamily Residential Development

APPLICANT: A1A N Ocean Blvd, LLC, 2307 N Ocean LLC, 2301 N Ocean Blvd LLC, 2237 N Ocean Blvd LLC

AGENT: Stephanie J. Toothaker, Esq.

PROJECT NAME: Amalfi

ADDRESS: 2317 North Ocean Boulevard

ABBREVIATED LEGAL DESCRIPTION: Lauderdale Beach 4-2 B Lot 44 Blk 1

ZONING DISTRICT: Residential Multifamily High Rise/High Density (RMH-60) District

LAND USE: Residential - High

COMMISSION DISTRICT: 2 – Steven Glassman

NEIGHBORHOOD ASSOCIATION: Central Beach Alliance

CASE PLANNER: Karlanne Devonish, AICP

Disclosures were made at this time, and Attorney Spence swore in any members of the public who wished to speak on this Item.

Stephanie Toothaker, representing the Applicant, showed a view of where the proposed building would be located within the City's Central Beach area. She advised that the site is not adjacent to single-family development, but is bounded by A1A to the east and a block of

multifamily housing to the west. Its surrounding buildings include a church and several condominium developments.

Ms. Toothaker continued that while concerns have been expressed regarding the proposed building's shadow, the building is not located near the beach or the Intracoastal Waterway, nor is it beside single-family homes. She asserted that the proposed development is in context with the buildings surrounding it.

Ms. Toothaker stated that the proposed building is located within the Central Beach area and would be part of the Central Beach Alliance (CBA). It would not be a member of other neighborhood associations in the area. Ms. Toothaker provided a brief history of development in the Central Beach, including the White Egret, which was approved in the 1970s with 85 units to the acre and consists of 17 stories "by 1970s standards," which she estimated as providing 8 ft. ceiling heights.

Ms. Toothaker reviewed the heights and densities of other buildings in the area that were previously approved, as well as the timeline within which the City adopted its Comprehensive Plan. With this Plan, the City designated the Central Beach area as appropriate for the highest densities and heights associated with residential land use. These densities were intended to serve as a buffer between major roadways and lower-density neighborhoods.

In 1997, the entire Central Beach area was "down-zoned," reducing both the heights and densities allowed there. This established 120 ft. as the height permitted by right, with height of up to 240 ft. available east of the Intracoastal Waterway with additional review by the Planning and Zoning Board. Density was reduced to 48 units per acre for the area east of the Intracoastal Waterway and 60 units per acre west of that waterway. The RMH-60 zoning district is intended to provide high-rise and high-density multi-family residences.

Ms. Toothaker reviewed aerial photos of the subject street, including other nearby multi-family buildings.

The proposed project, known as the Amalfi, provides 39 units, which is lower in density than many of the buildings that surround it. The proposed height is 240 ft., of which 120 ft. are available by right; additional height is available through a conditional use request. The building will provide 104 parking spaces, which exceeds the required 84 spaces. Water and sewer infrastructure have been analyzed and found to meet the required capacity.

The project is expected to generate 8 a.m. peak hour trips and 10 p.m. peak hour trips. Because it is not located in the Central Beach RAC, it does not use any of the flex units allocated to that area.

Ms. Toothaker further compared the proposed project to other buildings in the area in order to address neighborhood compatibility. She cited nearby buildings' units per acre and heights to provide additional context.

At present, the subject site is in use as Airbnb units. There are 16 units on the parcel, which means the Amalfi project will only increase the units by 23 for a total of 39. The current use also includes parking which backs out directly onto A1A, creating pedestrian and traffic conflicts. Ms. Toothaker concluded that the current use is not a desirable one.

The Site Plan is before the Board due to two requests:

- Yard modifications
- Conditional use for building height

Requested yard modifications include:

- Front yard (A1A): modification requested to 25 ft.
- South side yard: modification to 69 ft.
- North side yard: modification to 31 ft.
- Rear yard: 20 ft.

Ms. Toothaker noted that yard requirements in the subject area can be difficult to meet by right, as the current requirement is for yard setbacks to equal half the height of the building. She characterized the Applicant's proposed setbacks as generous. The 69 ft. side yard setback brings traffic into the site using a service drive, which will be available for residents moving in or out of the building as well as various service providers including deliveries, mail, and garbage.

Ms. Toothaker continued that the Everglades Club condominium is the building most affected by the proposed development, as it is directly behind the Amalfi site. A prior design of the Amalfi was changed in order to improve view corridors from the Everglades Club.

The criteria for yard modifications include:

- By adjusting the location of the structure on the site, an architectural and/or engineering study can graphically prove where shadows will result from the adjustment
- By adjusting the location of the structure on the site where the site abuts the Intracoastal Waterway or other permanent public open space, the proposed reduction is found to be compatible with adjacent properties; the subject site is not located along the Intracoastal Waterway or any other public open space
- Continuity of yards between the proposed development and adjacent properties
- Continuity of architecture with adjacent properties
- Continuity of urban scale with adjacent properties

Ms. Toothaker continued that the RMH-60 zoning district serves as a transition area between higher-intensity development along major corridors and adjacent lower-density residential neighborhoods. The proposed building is not adjacent to residential neighborhoods, but is bounded by multi-family development to the west and A1A to the east. The development is not expected to create significant levels of noise, odor, or other adverse impacts on adjacent properties, and its mass, scale, and height are consistent with existing high-rise residential buildings within the RMH-60 zoning district.

Neighborhood compatibility considers how the proposed project fits within the framework of the City's adopted zoning and Comprehensive Plan. Ms. Toothaker emphasized that neighborhood compatibility does not consider what is on a site today, but what the site's zoning and land use allow. The City also considers the input of neighborhood associations, which in the case of the Amalfi would be the CBA. The CBA is supportive of the project.

Ms. Toothaker addressed how the proposed project complies with the Conditional use standards for additional height, based on the following:

- Access
- Traffic generation
- Road capacities
- Location or use of the structure is not in conflict with the City's Comprehensive Plan
- Off- or on-site conditions exist which would reduce any impacts of permitting the use or structure
- On-site improvements have been incorporated into the Site Plan to minimize adverse impacts as a result of permitting the use or structure
- Location of the use and proximity to similar use does not impact the character of the zoning district in which that use is located
- There are no adverse impacts of the use which would affect the health, safety, and welfare of adjacent properties

Kobi Karp, architect representing the Applicant, characterized the proposed project as an opportunity to move parking underground on the site, reducing the building's footprint and creating more green space. The shadow line cast by the building will come from its thinner side. Moving the parking below grade provided an opportunity to allow more light and air into the area, including adjacent buildings. Mr. Karp concluded that the building will have a small footprint at the ground level.

Ms. Toothaker provided a timeline of the Applicant's neighborhood meetings, which began in February 2024 with two CBA board meetings. They also reached out to the White Egret condominium via Zoom and gave an in-person presentation to the Lauderdale Beach Homeowners Association, followed by the Everglades Club condominium association and the City's DRC. In May, they addressed the CBA once more, followed by the Lauderdale Beach neighborhood, the Everglades Club condominium, and the CBA once more. At this meeting, the CBA supported the project by a vote of 224-171. She emphasized that the only neighborhood association of which the Amalfi would be a member was the CBA.

Ms. Toothaker continued that a presentation was also made to Dolphin Isles, but the Applicant did not hear the results of this meeting until after its conclusion, as no vote was taken at the meeting at which they presented. She noted that some residents of Dolphin Isles also participated in the CBA vote.

Ms. Toothaker also addressed the Everglades Club condominium, reiterating that this building is the neighboring property most affected by the proposed project. She emphasized the Applicant's outreach to residents of this building.

Ms. Toothaker estimated that Planning and Zoning Board members received roughly 45 emails in opposition to the project, many of which raised concerns with shadows. She advised that the Applicant's team has provided shade studies which contradict these concerns, and pointed out that the Applicant has received over 80 signatures in support of the project.

Ms. Toothaker requested that time be reserved for rebuttal following public comment.

At this time Chair McTigue opened the public hearing.

Mike MacDonald, private citizen, stated that he supported the project. As a contractor, he felt it was his company's responsibility to improve neighborhood conditions and provide more development and economic growth.

T.J. Verdiglione, private citizen, advised that while he is not immediately affected by the project, he was in favor of high-quality sustainable development such as the proposed project.

Audrie Kaminsky, private citizen, stated that she is a resident of the Everglades Club, which is located directly to the west of the proposed project. While she was originally concerned with the project, she found the Applicant's team willing to work with Everglades Club residents and address their concerns. She was now in favor of the project.

Ms. Scott requested clarification that Ms. Kaminsky was supportive of the project even though the building would block her view. Ms. Kaminsky advised that her view would not be significantly affected by the project.

Esther Schumann, president of the Everglades Club Condominium Association, stated that this Association fully supports the Amalfi project. She emphasized that the Everglades Club has a good working relationship with the Applicant.

Mr. Dutton requested additional information on day-to-day life in the Everglades Club building. Ms. Schumann replied that the backout parking currently located at the proposed Amalfi site needed a solution.

Mr. DelaTorres asked if Ms. Schumann felt her position on this issue was representative of the majority or the minority of Everglades Club residents. Ms. Schumann replied that there were many discussions among residents and not all are in favor of the project; however, she reiterated that the Applicant is working with the Everglades Club to address residents' concerns. The Association's board voted 4-1 in favor of the project.

Mr. DelaTorres asked if the Association was aware of the 20 ft. separation between the Everglades Club building and the proposed Amalfi. Ms. Schumann confirmed this, reiterating that she was in favor of the project.

Mr. Ganon asked if the Everglades Club negotiated a settlement with the Applicant. Ms. Schumann replied that there is a letter of agreement with the Amalfi addressing the Everglades Club building's stability during construction. They will also receive a sum of money in relation to aesthetics on the site during construction.

Mr. Spence asked if there was consideration of how light and sound associated with the Amalfi project would affect Everglades Club residents. Ms. Schumann advised that the Everglades Club building is not always fully occupied; she estimated that mostly year-round residents would be impacted by construction. She reiterated that the Applicant has made assurances regarding the effects of construction.

Mr. Buckley observed that many of the letters he had received which expressed concern with the site had included a reference to 500 trips per day. This was not consistent with the findings of the Applicant's traffic study, which estimated 107 trips per day. He requested clarification of this issue.

Blake Kidwell, civil engineer for the Applicant, explained that the Institute of Transportation Engineers (ITE's) trip generation manual recently changed how trips are calculated for high-rise residential buildings. The previous calculation was 500 trips; with the change, this was reduced to 100 trips. He also noted that existing uses were not taken into consideration, as the Airbnb units are not fully occupied. He estimated that the existing uses generate approximately 200 trips based on density when the site is fully occupied.

Mr. Ganon commented that it is often difficult for the Board members to understand the methodology used to calculate trips.

Virginia Hebb, private citizen, stated that she is a resident of the Lauderdale Beach neighborhood. She expressed concern with traffic and safety in the area. She felt mistakes of the past with regard to height should not dictate what can be built in the future, and pointed out that there is a possibility that the proposed project will bring in more Airbnb units.

Ms. Hebb added that she was also concerned with the coral foundation on which buildings in the area are constructed. She cautioned that larger projects may damage this foundation.

Ellyn Bogdanoff, representing the Everglades Club, advised that residents of that building compiled a "wish list" of their desires for the site during construction. She stated that the Applicant's team accepted each of these concerns, which included dust mitigation, concerns for the pool and retaining wall, and other issues that often arise from construction. She concluded that the building's board had negotiated a settlement with the Applicant, and provided a copy of that letter for the record.

Ms. Bogdanoff continued that it was difficult to tell how many Everglades Club residents were supportive of or opposed to the project. She concluded that the Everglades Club anticipates a good relationship with the Applicant.

Ann Ralston, private citizen, stated that she is a resident of the City of Hollywood. She expressed concern with the effects of continued development on South Florida's barrier islands, noting that the Applicant had not addressed environmental issues such as rising sea levels, king tides, and flooding. She concluded that the barrier island is built out.

Katherine [last name not given] emphasized that the beach belongs to everyone, not only the residents of the neighborhood in which it is located. She described the project as close to the beach, and concluded that the applicant could create an attractive project while observing the established height limit.

John Spear, private citizen, stated that he is a member of the Lauderdale Beach Homeowners Association. He felt the proposed building was too tall, did not fit well within the neighborhood, and would overshadow nearby single-family homes.

Stephen Nagy, private citizen, advised that he is a member of the Birch Park Neighborhood Association. He cautioned that the Applicant should be seeking a variance rather than conditional use approval. He concluded that according to case law, the Application should be judged on its own merits rather than on the basis of previously approved modifications or variances.

Mr. DelaTorres requested clarification of the source of some of Mr. Nagy's comments. Mr. Nagy explained that he had read from the Applicant's remarks, which suggested that there was no other use for the property. This was why he felt the appropriate process would be a variance rather than conditional use. He characterized the Applicant's approach as deceptive.

Mr. DelaTorres pointed out that City Staff has recommended reviewing the Application for conditional use. Mr. Nagy suggested that City Staff may not be doing their jobs correctly.

Julie Deitchman, representing the Lauderdale Beach Homeowners Association, estimated that she lives less than 500 ft. from the proposed building. She recalled that the Association's board voted 55-1 in opposition to the project due to its height, shadows, and impacts on the surrounding roadways and communities. She asserted that while the neighborhood is not opposed to development, the proposed building is not comparable to or compatible with other buildings in the neighborhood due to its height and lot size.

Ms. Scott asked if Ms. Deitchman would support the project if the developer were willing to reduce its height. Ms. Deitchman confirmed this.

Allen Zeman, president of the Dolphin Isles Homeowners Association, stated that the Applicant's suggestion that his Association's vote was irregular was not accurate. He explained that after seeing a presentation on the project, the Association had given its

members more time to learn about the project before voting on it, and all subsequent votes were verified.

Mr. Zeman proposed that the developer consider a project with a height of 16 stories as a compromise, as this would be consistent with the character of the neighborhood. He also noted the number of individuals present at the meeting in opposition to the project.

Miranda Lopez, private citizen, stated that the project was too tall for the surrounding neighborhood, and for nearby single-family homes in particular. She felt the building would deprive the community of use of the beach.

Lily Zeman, private citizen, stated that the project is incompatible with the character and scale of the surrounding community, and would establish an unwanted precedent by undermining legal protections of the neighborhood's integrity. She recommended smarter development.

Ken Fengler, private citizen, suggested a compromise on the project's height. He did not feel the Applicant's presentation was accurate, as it had compared the project to condominiums on the east side of A1A. He asked that the Board not grant the requested conditional use.

David Sullivan, private citizen, stated that his condominium association had voted 28-2 against the project. He did not think the project's proposed size would be a good fit on the parcel, and expressed concern with traffic.

Brad Thornborough, private citizen, advised that the closest single-family home to the subject property would be 260 ft. away. He also pointed out that the buildings of comparable height cited by the Applicant are far from the project. He noted that the goal of neighborhood compatibility is to avoid negative impacts to surrounding properties, and that residents of the neighborhood do not feel the project is compatible.

Ms. Scott asked if Mr. Thornborough felt the project is attractive aside from its height. Mr. Thornborough replied that he would like to see more projects in the neighborhood, but objected to the proposed height.

Mr. DelaTorres advised that it is not uncommon for high-rise developers to pay neighbors in adjacent buildings, and clarified that this payment is not in exchange for approval of a project, but is intended to cover damage to neighboring buildings. Mr. Thornborough stated that he felt this arrangement should be part of the public record.

Sue Dorman, private citizen, felt the proposed building is too tall for the neighborhood and would be out of scale with surrounding structures.

Molly Wilson, private citizen, stated that she is a resident of the Sunrise Intracoastal community and was in favor of the Amalfi project. She felt the Applicant's team has been thoughtful in their design and community outreach, and the project would improve traffic flow and pedestrian walkways.

Goran Dragoslavic, private citizen, stated that he is a resident of the Dolphin Isles neighborhood. He pointed out that if the building's height is restricted, it could affect the developer's ability to make a profit on the project. He felt the Amalfi will attract residents with a high net worth.

Ms. Scott requested clarification of Mr. Dragoslavic's comment regarding the restriction of height. Mr. Dragoslavic reiterated that he did not believe the numbers would work with lower height.

Camelia ____, private citizen, stated that while she no longer lives in Fort Lauderdale, she has lived at one of the Airbnb units on the subject property. She asserted that the project's developer has put a great deal of effort into accommodating the neighborhood. She concluded that the project should be judged on its own merit.

Jon Franciosa, private citizen, stated that the project's developer is following the process set forth by Zoning Code in building to the maximum allowable height. He cautioned that fewer investors would come to Fort Lauderdale if the project is not approved, as it could set an unwanted precedent.

Rebecca ____, private citizen, expressed support for the Amalfi project, as she felt it represents thoughtful development that would enhance its community.

Maria Lopez, private citizen, stated that she regularly walks the subject area and pointed out that the opposite side of A1A from the proposed building is a single-family neighborhood. She felt the building would be out of context with the area.

As there were no other individuals wishing to speak on the Item, the Chair closed the public hearing and brought the discussion back to the Board.

The Board took a brief recess at this time.

Ms. Toothaker addressed comments made during the public hearing, clarifying that the Applicant had held all of its public meetings through the CBA, as that is the appropriate community association for the project. She added that with regard to the Everglades Club settlement, the issue had not been money but had been several concerns, including view corridors, the retaining wall, privacy, safety, and more. The settlement was offered to address aesthetic issues associated with construction of the project.

Ms. Toothaker continued that the subject property is not located within a single-family zoning area, but in the RMH-60 zoning district. She emphasized that when a property is purchased, the developer examines Zoning Code to determine what can be done with that property, including conditional use options. She reiterated that the Applicant provided more than 80 letters of support from Fort Lauderdale residents, most of whom live in the Central Beach area.

Mr. Spence asked if the Applicant has considered the potential for groundwater or saltwater intrusion that could damage the project's underground parking garage. Mr. Karp replied that the building will be constructed with cast piles. The basement will also use a soil mix, and sensors will be placed around the property to monitor vibrations.

Mr. Karp continued that the structure will be built on soft sand rather than on coral rock. He added that the subject building will be moved toward the north in order to ensure that sunlight will continue to reach the neighboring building's pool and front yard.

Turner Johnson, structural engineer for the Applicant, noted that the Applicant has engaged an engineering firm to determine the underground materials near the site.

Mr. DelaTorres requested clarification of the zoning map of the area. Development Services Deputy Director Ella Parker explained that the subject property is in the RMH-60 zoning district, which extends both north and south of that property along A1A. This district differs from the nearby RS-8 and PUD zoning districts.

Mr. DelaTorres also asked how the proposed height of 240 ft. was determined for the RMH-60 zoning district. Ms. Parker replied that this zoning was adopted in approximately 1989 and updated in 1997. It was also affected by a zoning-in-progress in 2002 which reduced it to 20% and was officially codified in 2004, allowing a height of up to 240 ft. through the conditional use process, or, in other RMH-60 zoning categories throughout the city that are not east of the Intracoastal Waterway, 150 ft. by right and up to 300 ft. by conditional use.

Mr. DelaTorres asked if all applicants in the RMH-60 district have the right to apply for greater height through conditional use approval. Ms. Parker confirmed this. Mr. DelaTorres commented that this meant denial of the proposed project would not discourage similar applications proposing up to 240 ft. as part of the codification of the City from being brought forward under the same zoning in the future. Ms. Parker confirmed that these may be brought forward for approval, subject to criteria.

Attorney Spence recommended that the Board members focus their discussion on the criteria for conditional use, as any potential court challenge to the Item would review whether or not the Applicant has demonstrated compliance with those criteria.

Vice Chair McCartney pointed out that development to a height of 120 ft. is permitted by right in the RMH-60 district; in addition, while the project may be the first in the subject area to propose building to the conditional use height of 240 ft., it is unlikely to be the last.

With regard to compatibility, Vice Chair McCartney advised that this occurs when a building conforms with the requirements of its zoning district. She added that the Applicant has made changes in order to lessen the project's impact on surrounding buildings, including the building's orientation, underground parking, and more. She concluded that although not

everyone is satisfied with the building's proposed height, the building is a compatible use and follows Zoning Code.

Mr. Ganon commented that the Applicant had the option of designing one to two floors underground and lowering the proposed height. The project as it stands allowed the Applicant to sell units on more floors with greater height.

Ms. Scott advised that her concern was for the requested side yard modifications, and cautioned that this type of request is likely to become more common in the future as more development occurs. Vice Chair McCartney recalled that the Board has previously discussed this issue and recommended that Code be revisited to address the need for side yard modifications. This had been sent as a communication to the City Commission.

Motion made by Mr. DelaTorres that we approve the project as it is brought to the table by the Applicant.

Attorney Spence observed that the City can interpret the above **motion** as approving the Resolution associated with this Item.

Vice Chair McCartney stated that she would be willing to second the **motion** if it is amended to include the Applicant's settlement agreement with the Everglades Club.

Mr. DelaTorres **amended** his **motion** as follows: that we approve it as per the Resolution and include the letter of agreement with the Everglades condominium as part of the public record.

Attorney Spence advised that this inclusion could be a concern unless the Applicant indicates the letter is a proffer. Ms. Toothaker stated that the Applicant is proffering a settlement agreement with the Everglades Club in its entirety and was willing to make this part of the conditional approval of the Site Plan.

Attorney Spence also requested clarification of whether or not the **motion** is intended to include Staff conditions. Mr. DelaTorres confirmed that this was his intent. Ms. Toothaker added that the Applicant also accepts the Staff conditions.

Vice Chair McCartney **seconded** the **motion**, but requested Attorney Spence's assistance in ensuring the **motion** is clearly stated.

Attorney Spence recommended that the **motion** include the following language: a motion to approve the Resolution, finding that the Applicant's Application meets all the criteria of Code; accepting the Applicant's proffer to include the settlement agreement with the Everglades condominium as part of the conditions; accepting all of Staff's conditions.

Mr. DelaTorres stated that he would **amend** his **motion** to include the above language.

Attorney Spence read the Resolution into the record:

A Resolution of the Planning and Zoning Board of the City of Fort Lauderdale, Florida, approving a Site Plan Level III conditional use development permit for increasing building height and approving modifications to the requirements for the front, north side, south side, and rear yards for a 39-unit multi-family residential development for the property located at 2317 N. Ocean Boulevard, Fort Lauderdale, Florida in the Residential Multi-family High Rise/High Density District, Case Number UDP-S24035; providing for conflicts; providing for severability; and providing for an effective date.

In a roll call vote, the **motion** passed 7-2 (Mr. Donaldson and Mr. Ganon dissenting).

4. CASE: UDP-T25009

REQUEST: * Amend City of Fort Lauderdale Unified Land Development Regulations Article XIII, Additional Zoning Districts, Establishing Section 47-37C "Central City Mixed Use Zoning Districts," including subsections: List of Districts, Intent and Purpose, Applicability and General Regulations, List of Permitted and Conditional Uses, Table of Dimensional Requirements, Special Regulations; and Amend Section 47-18.8. Child Day Care Facilities, Section 47-18.31, Social Service Facility, Section 18.32, Social Service Residential Facilities (SSRF), Section 47-20, Parking and Loading, Section 47-21.13, Landscape Requirements for All Zoned Districts, Section 47-23.16, Affordable Housing Regulations, and Section 47-24, Table 1, Development Permits and Procedures; and Amend the City of Fort Lauderdale Code of Ordinance Section 23-94, Vending Prohibited

APPLICANT: City of Fort Lauderdale

GENERAL LOCATION: Business Zoning Districts within the Central City Community Redevelopment Area, generally located north side of Sunrise Boulevard between I-95 and Flagler Drive; NE 4 Avenue between East Sunrise Boulevard and NE 13 Street; NE 13 Street between NE 4 Avenue and Flagler Drive; NE 6 Avenue, and NE 7th Avenue to the Florida East Coast Railway.

NEIGHBORHOOD ASSOCIATION: Lauderdale Manors Homeowners Association, South Middle River Civic Association, Middle River Terrace Neighborhood Association, Poinsettia Heights Civic Association, Lake Ridge Civic Association, Inc.

COMMISSION DISTRICT: 2 – Steven Glassman, 3 – Pamela Beasley-Pittman

CASE PLANNER: Karlanne Devonish, AICP

5. CASE: UDP-Z25002

REQUEST: * Rezoning from Community Business (CB) District, Boulevard Business (B-1) District, General Business (B-2) District, and Heavy Commercial/Light Industrial Business (B-3) District to Central City - Corridor Mixed-Use (CC-CMU) District, Central City – General Mixed-Use (CC-GMU) District, and Central City-Neighborhood Mixed-Use (CC-NMU) District

APPLICANT: City of Fort Lauderdale

GENERAL LOCATION: Business Zoning Districts within the Central City Community Redevelopment Area, generally located north side of Sunrise Boulevard between I-95 and Flagler Drive; NE 4 Avenue between East Sunrise Boulevard and NE 13

Street; NE 13 Street between NE 4 Avenue and Flagler Drive; NE 6 Avenue, and NE 7 Avenue to the Florida East Coast Railway

ABBREVIATED LEGAL DESCRIPTION: Rezoning from Community Business (CB), Boulevard Business (B-1) District, General Business (B-2) District, and Heavy Commercial/Light Industrial Business (B-3) District to Central City - Corridor Mixed-Use (CC-CMU) District: Portions of the following plats: "Revised Plat of Lauderdale Manors" (29-46), "Amended Plat of Portions of Lauderdale Manors Addition and Block 158, Chateau Park, Section -B" (31-26), "Resubdivision, Tract B, Lauderdale Manors Addition" (44-41), "Resubdivision of Lots 1, 2, 10, 11 and 12 and Block 155, Chateau Park Section "B" (63-36), "Lauderdale Manors Addition" (1-352), "Chateau Park" (9-68), "Progresso" (2-18), "Re-plat of Lots 16 through 33, Block 194, Progresso" (62-38), "Supplemental Map of Progresso" (1, 107), "Re-plat of a Portion of Block 185, Progresso" (41-25), and "Home Depot Fort Lauderdale" (172, 92)

Rezoning from Community Business (CB) District to Central City – General Mixed-Use (CC-GMU) District: Portions of the "Progresso" (2-18)

Rezoning from Community Business (CB) District to Central City- Neighborhood Mixed-Use (CC-NMU) District: "Progresso" (2-18), "Lauderdale Warehouse Area" (34-24), "Buell" (31-11), portion of the SW quarter of Section 35, Township 49 South, Range 42 East more fully described by metes and bounds, "H.C. Brock's Subdivision" (3-24), Ergon/Moss Plat" (183-107)

ZONING DISTRICT: Community Business (CB) District, Boulevard Business (B-1) District, General Business (B-2) District, and Heavy Commercial/Light Industrial (B-3) District

PROPOSED ZONING: Central City – Corridor Mixed-Use (CC-CMU) District, Central City – General Mixed-Use (CC-GMU) District, and Central City-Neighborhood Mixed-Use (CC-NMU) District

LAND USE: Commercial

COMMISSION DISTRICT: 2 – Steven Glassman, 3 – Pamela Beasley-Pittman

NEIGHBORHOOD ASSOCIATION: Lauderdale Manors Homeowners Association, South Middle River Civic Association, Middle River Terrace Neighborhood Association, Poinsettia Heights Civic Association, Lake Ridge Civic Association, Inc.

CASE PLANNER: Karlanne Devonish, AICP

Principal Urban Planner Karlanne Devonish requested that Items 4 and 5 be presented together and voted upon separately.

Attorney Spence explained that Items 4 and 5 are legislative in nature, as they are part of the City's comprehensive rezoning effort. One Item addresses the text that will be added to the ULDR, while the second Item rezones the subject properties accordingly.

Ms. Devonish advised that these two Items address the Central City rezoning, which has been a multi-decade process, with the groundwork starting in 2002. In 2018 the City retained consultants to propose rezoning for the subject area. There have been several iterations of the proposed rezoning map. The intent is to establish form-based regulations that address

building and streetscape designs in order to create a sense of place for the area and ensure a range of housing options, while also streamlining the development review process and providing greater certainty for residents and developers. This effort has been a goal of the Central City's redevelopment plan as well as the City's Comprehensive Plan.

Ms. Devonish continued that several workshops have been held since 2018 to discuss this project, and there have been several proposals for rezoning. The recommended rezoning in the subject area would include three zoning districts along Sunrise Boulevard, beginning just before the I-95 on-ramp and continuing east to the FEC railroad tracks, extending to NE 4 Avenue and NE 13 Street and the end of the CRA boundaries.

The proposed use categories for this area are similar to what currently exists in Code. Ms. Devonish noted that this information is included in the Staff Report for Case UDP-T25009. The only new categories proposed would be residential use and mixed-use development. Other existing uses, including retail, services, lodging, light manufacturing, and public purpose use are also proposed.

Regarding dimensional requirements, Ms. Devonish noted that the UDP-T25009 Staff Report also includes a table for purposes of comparison. The table compares the requirements of the existing zoning districts to the requirements of the proposed districts.

The primary difference in dimensional requirements is that the proposed requirements will include form-based regulations, such as podiums, tower separations and setbacks, and floor plate size. At present, the maximum height for the four existing zoning districts is 150 ft. Staff proposes allowing 105 ft. by right along Sunrise Boulevard; if an applicant proposes affordable housing, they may increase this height to 125 ft. without triggering a higher level of review for conditional use. If an applicant would like 150 feet in height, that would require conditional use approval.

For the zoning districts along NE 4 Avenue and NE 13 Street, Staff proposes a maximum height of 80 ft., with no conditional height above that limit.

Mr. Donaldson requested clarification of the current zoning of these districts. Ms. Devonish replied that the existing zoning of CB allows 150 ft. in height.

Mr. Donaldson asked if a change that reduced height would be considered downzoning. Attorney Spence explained that Florida recently adopted Senate Bill (SB) 180, which restricts municipalities from adopting more burdensome or restrictive regulations between October 1, 2024 and October 1, 2027. Fort Lauderdale and other Florida municipalities have challenged this law and proposed solutions to this issue.

Ms. Devonish continued that Staff proposes a minimum podium height of 25 ft. or two stories, which may extend up to five stories or 55 ft. The podium may extend upward by 12 ft. to 15 ft. depending upon stepbacks and street orientation. Tower separations of at least 30 ft. are

required. Maximum floor plate sizes for residential uses would be 10,000 sq. ft. and 16,000 sq. ft. for non-residential uses.

Due to the area's land use, little changes to density can occur, and the City currently has no flex units that can be allocated. Other options include applying Broward County Policy 2.16.4, known as Geller units, which would allow the provision of units along NE 4 Avenue and Sunrise Boulevard. Florida's Live Local Act also provides options for this area.

Staff proposes the designation of primary and secondary streets, with major corridors such as Sunrise Boulevard, NE 13 Street, NE 4 Avenue, NE 7 Avenue, Andrews Avenue, and NW 9 Avenue/Powerline Road comprising primary streets. Secondary streets would include NE 9 Avenue, Progresso Drive, and other side streets. Streets not listed must meet existing requirements.

Travel lane size is proposed at 10 ft. to 12 ft. Sidewalks for primary streets are proposed at 10 ft., with 7 ft. proposed for secondary streets.

Chair McTigue advised at this time that the Board must vote to extend the time period allotted to the meeting after 10 p.m.

Motion made by Vice Chair McCartney, seconded by Mr. Ganon, to move beyond 11 o'clock. In a voice vote, the **motion** passed unanimously (9-0).

Parking requirements for residential units are proposed at 1.50 spaces per dwelling unit. For non-residential uses, Staff proposes to exempt the first 2,500 sq. ft.; regular standard parking would be applicable thereafter except for legal nonconforming uses, where Staff recommends that 60% of the standard requirements be applied. At present, the area allows some on-street parking abutting properties to be counted toward the parking requirement. For affordable units, one space per dwelling unit is proposed. If a parking reduction is requested, it would be processed as Site Plan Level I or administrative review and would not come before the Planning and Zoning Board for approval.

Staff proposes that building and design standards assist in creating a sense of place and streetscapes for the pedestrian realm. Building façades facing primary and secondary streets must provide at least 30% fenestration on the wall area, and should be designed to visually screen parking and minimize large expanses of blank walls. Staff also recommends provision of adequate screening for rooftop equipment.

Additional proposals include requirements to provide buffer yard requirements, such as walls and landscape strips, as well as controlled lighting to prevent spillover onto neighboring properties.

Ms. Devonish showed a visual of the proposed heights related to the Central City General Mixed-Use (GMU) and Neighborhood Mixed-Use (NMU) zoning districts, which are located along NE 4 Avenue and NE 13 Street. She explained that a maximum 55 ft. podium is

proposed, which would be compatible with the RMM-25 zoning district. RMM-25 zoning allows up to 55 ft. for some uses. The 55 ft. podium would also require a 15 ft. setback. Maximum height would be 80 ft.

Ms. Devonish showed another visual of the heights proposed for the Central City – Corridor Mixed-Use (CC-CMU) zoning district, explaining that a maximum podium height of five stories would be permitted on Sunrise Boulevard, also with a 15 ft. setback and a maximum height of 105 ft. If the applicant proposes affordable housing, the maximum height may be increased to 125 ft. With conditional use approval, height may be increased to 150 ft.

Ms. Devonish showed renderings of the different heights proposed within the subject area.

Staff proposes that if applicants meet all the standard dimensional requirements as proposed, their applications may be processed with Site Plan Level II review, subject to City Commission request for review. If applicants propose modifications to dimensional standards, this would require Site Plan Level III review, which would come before the Planning and Zoning Board. Deviations may include building length or width, podiums, tower setbacks, tower separations, floor plate size, and yard modifications. If the applicant can demonstrate that compliance with dimensional requirements is not feasible due to site constraints, the modification request must maintain a high-quality design, provide light and air, and fit harmoniously into its surrounding context.

Since the effort began in 2018, Staff has held over 50 public meetings, including neighborhood associations in the Central City area, the Central City development advisory boards, workshops, and online surveys.

Ms. Devonish also addressed SB 180, noting that information on this bill was not included in the Board members' backup materials. Staff proposes a prior zoning regulation provision, which would allow applicants to request the application of prior zoning regulations. Because Code Section 47-26.3 requires Site Plan Level IV approval for prior zoning requests, Staff suggests that the prior zoning regulation provision instead offer Site Plan Level I or administrative review. Applicants will be required to provide a burden of proof demonstrating that the Central City mixed-use regulations applied to their property are more restrictive or burdensome than those which were in place prior to the adoption of the Central City mixed-use zoning district.

Attorney Spence further clarified that this would serve as an "opt-out" provision. It would be a subsection of Section 47-37.c.a, request for application of prior zoning regulations, and would state that the property owner believes the development permit application or review process with the Central City mixed-use district regulations is more restrictive or burdensome than if such development permit application was processed or reviewed in accordance with the zoning regulations in effect immediately prior to the amendment. The applicant may make application in accordance with the development standards, criteria, and procedures of the zoning regulations in effect immediately prior to the adoption date of the amendment.

In order to apply for approval under this section, the property owner must submit written notice requesting the application of prior zoning regulations. The review process would require the owner to submit this notice requesting application of prior zoning regulations to the Department, which shall review the case within 14 days of submittal. The Department shall determine whether or not the requirements have been met, and the property owner will be notified in writing by the Department.

If the Department determines that the request for prior zoning regulations meets the required criteria, the owner may submit a development permit application, pursuant to development standards criteria or procedures under the prior zoning regulation.

The criteria for review are as follows:

- The Central City mixed-use district regulations applied to the property are more restrictive or burdensome than the land development regulations in effect immediately prior to the adoption of that district
- The Central City mixed-use district regulations applied to the property are more restrictive or burdensome procedures concerning the review, approval, or issuance of a Site Plan, development permit, or development order than the regulations in effect immediately prior to the adoption of that district

The prior zoning regulation would be scheduled to sunset on October 1, 2027, which coincides with the timeline required by SB 180.

Attorney Spence explained that the proposed provision uses language taken directly from SB 180 to determine what municipalities cannot adopt into Land Use Regulations. This language refers to changes that are “more restrictive or more burdensome.” If a property owner feels they cannot operate under the requirements of the new zoning district, they may allege this in circuit court. SB 180 provides for injunctive regulatory relief for owners who feel a regulation adopted by a municipality is more restrictive or burdensome to them.

If the City repeals a requirement presented by a property owner as more restrictive or burdensome, they are not responsible for that owner’s attorneys’ fees associated with the item.

Mr. Donaldson commented that the City has worked to spur development in the Central City area since 2018; however, since that time, developers have not chosen to build to the current maximum height of 150 ft. He asked if property owners are expected to use prior zoning regulations to return to this lesser height than what is currently proposed. Attorney Spence explained that there may be other aspects of the proposed regulations which developers may see as more restrictive or burdensome. The prior zoning regulations provision was drafted to address this possibility.

Vice Chair McCartney asked if the City had considered waiting until the date of October 1, 2027, as cited in SB 180, to bring forward the proposed Central City regulations. She expressed concern that owners who have projects in the pipeline might be negatively affected,

and that the prior zoning regulations option might not be a good option for them. She felt moving forward with the proposed new regulations at this time could be perilous.

Attorney Spence recalled that the Central City rezoning effort was brought forward by the Central City Community Redevelopment Agency (CRA) in an attempt to stimulate redevelopment in the subject area, and pointed out that comprehensive rezoning schemes are best implemented by completion of rezoning for all properties so the intent of the planning effort is implemented and available to all property owners. The prior zoning regulations are offered as an opt-out measure intended to reduce the burden on property owners.

Vice Chair McCartney asserted that SB 180 does not mean owners should be burdened or restricted less, but intends that they not be burdened or restricted at all. She pointed out that the prior zoning regulations option requires owners to ask for something they should have by right.

Mr. Donaldson asked if the components within the proposed Central City zoning regulations are intended to be seen by property owners as providing them with more options to spur development. Attorney Spence confirmed that this was the hope; however, the City has heard feedback from some property owners who may want the regulations to remain the same and find the new regulations to be more restrictive or burdensome.

Attorney Spence continued that the City has considered its options for these regulations, such as adopting text language but delaying the rezoning of properties to a later date. He added that there are processes in other areas which provide owners with an opt-in approach, in which the text language is adopted, new zoning districts are created, and the City provides incentives for property owners to individually rezone their properties under the new zoning scheme. He cited the example of the Uptown area, which includes zones such as the Uptown TOD. Owners in those zones are invited to bring forward rezoning requests which will be paid for by the City.

Attorney Spence stated that he understood the Vice Chair's concern that the process itself could be perceived by owners as an additional burden and therefore a violation under SB 180. He encouraged the Board to move the text amendment forward, as significant time and planning has gone into that change, and then further discuss what they would like to do in terms of the rezoning of properties.

Attorney Spence further clarified that if the text amendment is adopted, it would not apply to any property until those specific properties are actually rezoned to the new zoning districts. This will mean the Code Section with these amendments is not actually in effect, but is available.

Vice Chair McCartney reiterated her concern that asking private property owners to request rezoning could be construed as burdensome. Attorney Spence explained that there would be no governmental requirement or encouragement for them to do so; they would be able to take

that step entirely of their own volition. Ms. Devonish added that this would be the case in any districts for which rezoning is proposed.

Attorney Spence advised that the Board may adopt the text amendments proposed in Case UDP-T25009, which places the new zoning districts within the ULDR. This will provide owners with additional tools for their use. If SB 180 is lifted, the City can bring the proposed rezoning requested under UDP-Z25002 back to the Board, or an individual property owner may come forward and request rezoning of their specific properties to the new districts.

Ms. Devonish concluded that if the Item or Items are moved forward to the City Commission for approval, they would most likely be placed on the Agenda in December 2025 for first and second readings.

The Board members briefly discussed the public hearing, with Vice Chair McCartney requesting clarification of whether members of the public wishing to speak on the Items would address the text amendment or the rezoning. Attorney Spence clarified that individuals may wish to address both items, noting that Item 5 includes the areas in which the proposed new zoning districts would be created. He recommended hearing the public on both the text amendment and the location of the proposed new districts, with the understanding that the Board may not recommend adoption of the rezoning at this time.

At this time Chair McTigue opened the public hearing.

Bobby Tinoco, representing the Central City Redevelopment Advisory Board, read a letter supporting the proposed mixed-use zoning, which reflect the formal recommendations made by that Advisory Board on January 13 and February 5, 2025. The Board supports the rezoning as a critical step toward advancing the Central City CRA's long-term goals for economic vitality, housing, and walkable mixed-use development.

Troy Liggett, private citizen, stated that he did not understand what the Board is doing, and pointed out that the Middle River Terrace neighborhood has trust issues with the overall approval process. He requested that the Board consider delaying approval of the rezoning for an additional month so residents can have greater clarity on what is being done.

Chair McTigue asked for Staff's position on the possibility of delaying the Items for a month. Attorney Spence stated that he did not have a position.

Clarence Woods, Central City CRA Manager, advised that while the CRA Board was not opposed to returning for further discussion next month, their desire was to move the proposed changes forward to the Commission.

It was determined that both Items would be deferred to the next Board meeting.

As there were no other individuals wishing to speak on the Item, the Chair closed the public hearing and brought the discussion back to the Board.

Ms. Devonish clarified that Staff does not propose any changes to their presentation on both the text amendment and the rezoning map at the next meeting. She requested direction from the Board regarding how the proposed Ordinance would be adopted: with the proposed opt-in version similar to the Uptown model, or based on the provision for prior zoning regulations.

Ms. Devonish continued that if the Board chooses to proceed with the Uptown model, the text amendment and rezoning would be kept the same and property owners would be able to opt into the rezoning of property.

Attorney Spence acknowledged that there is some public confusion about the proposed process, and the deferral would not change the text, but would allow time to clarify the proposals in light of SB 180. He confirmed that whatever version of the Items is carried forward for approval, it will include an opt-in option, which will be explained to the community for greater clarity.

Chair McTigue asked if the Board will need to vote on the text amendment only at the next month's meeting, or if they would consider the proposed rezoning as well. Attorney Spence advised that Staff is not prepared to withdraw the proposed rezoning, but to have the Board vote on it, which will require fulfillment of the public hearing requirement at the next meeting.

Motion made by Mr. Donaldson, seconded by Ms. Scott, to move Number 4 and Number 5 to the beginning of the Agenda at next month's meeting, which I believe is November 19, 2025.

Vice Chair McCartney observed that the underlying issue, which is whether or not the proposals conflict with State Statutes, is not addressed by the deferral. She asserted that she would not be willing to vote to pass the Item(s) in that case and did not know why the Board would address it if a conflict exists.

Attorney Spence reiterated that he would recommend adoption of the text amendment and further delaying the rezoning request if the Board is uncomfortable with it.

Ms. Parker explained that the deferral would provide the public with an additional month in which to consider the implications of SB 180. She pointed out that the proposed opt-in possibility does not compromise any property rights, but offers more opportunities for redevelopment.

Attorney Spence stated that the text amendment Item includes all the issues with which residents of the subject community may be concerned, such as height, setbacks, and uses. It also names the proposed new zoning districts. The rezoning Item is primarily a map which designates which text amendments will govern which areas.

It was clarified that Mr. Donaldson's **motion** would defer Items UDP-T25009 and UDP-Z25002.

In a roll call vote, the **motion** passed unanimously (9-0).

V. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

a. Discussion and vote, regarding the previous communication to the City Commission which was proposed by the Board at the September 17, 2025 Planning and Zoning Board Meeting

Chair McTigue recalled that the communication to the City Commission discussed at the September 17, 2025 was not seconded, and advised that Ms. Scott wished to make this motion and communication once more.

VI. COMMUNICATION TO THE CITY COMMISSION

Motion made by Ms. Scott that the Planning and Zoning Board requests the City Commission to consider directing Planning and Zoning Division to evaluate large-scale townhome projects to determine whether such projects should be subject to review and approval by the P&Z Board. The intent of this request is to establish a formal threshold in which townhome projects should receive additional oversight and provide an opportunity for public input via the Board's review process.

Mr. Donaldson recommended clarification of the number of townhome units that would constitute the threshold. Ms. Scott suggested that this be 10 units.

Ms. Scott **restated** her **motion** as follows: the Planning and Zoning Board requests the City Commission to consider directing Planning and Zoning Staff to evaluate large-scale townhome projects, specifically projects consisting of more than 10 units, to determine whether such projects should be subject to review and approval by the Planning and Zoning Board. The intent of this request is to establish a formal threshold in which townhome projects should receive additional oversight and provide an opportunity for public input through the Board's review process.

Mr. Donaldson **seconded** the **motion**. In a roll call vote, the **motion** passed unanimously (9-0).

There being no further business to come before the Board at this time, the meeting was adjourned at 10:50 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

Chair

Prototype

[Minutes prepared by K. McGuire, Prototype, Inc.]