

**DRAFT**  
**PLANNING AND ZONING BOARD**  
**CITY OF FORT LAUDERDALE**  
**CITY HALL COMMISSION CHAMBERS – 1<sup>ST</sup> FLOOR**  
**100 NORTH ANDREWS AVENUE**  
**FORT LAUDERDALE, FLORIDA**  
**WEDNESDAY, JANUARY 15, 2014 – 6:30 P.M.**

**Cumulative**

| <b>Board Members</b>   | <b>Attendance</b> | <b>June 2013-May 2014</b> |               |
|------------------------|-------------------|---------------------------|---------------|
|                        |                   | <b>Present</b>            | <b>Absent</b> |
| Patrick McTigue, Chair | P                 | 8                         | 0             |
| Leo Hansen, Vice Chair | P                 | 8                         | 0             |
| Brad Cohen             | P                 | 7                         | 1             |
| Stephanie Desir-Jean   | A                 | 6                         | 2             |
| Michael Ferber         | P                 | 7                         | 1             |
| James McCulla          | P                 | 6                         | 2             |
| Michelle Tuggle        | P                 | 8                         | 0             |
| Tom Welch              | P                 | 7                         | 1             |
| Peter Witschen         | A                 | 6                         | 2             |

It was noted that a quorum was present at the meeting.

**Staff**

Ella Parker, Urban Design and Planning Manager  
D'Wayne Spence, Assistant City Attorney  
Eric Engmann, Urban Design and Development  
Florentina Hutt, Urban Design and Development  
Todd Okolichany, Urban Design and Development  
Randall Robinson, Urban Design and Development  
Anthony Fajardo, Chief Zoning Administrator  
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

**I. CALL TO ORDER / PLEDGE OF ALLEGIANCE**

Chair McTigue called the meeting to order at 6:30 p.m. and all stood for the Pledge of Allegiance. The Chair introduced the Board members, and Urban Design and Planning Manager Ella Parker introduced the Staff members present. Assistant City Attorney D'Wayne Spence explained the quasi-judicial process used by the Board.

**II. APPROVAL OF MINUTES**

**Motion** made by Mr. Welch, seconded by Ms. Tuggle, to approve. In a voice vote, the **motion** passed unanimously.

### III. AGENDA ITEMS

#### Index

| <u>Case Number</u> | <u>Applicant</u>  |
|--------------------|---|
| 1. 75R13**         | The Conrad Fort Lauderdale / 551 North FLB Marketing, LLC |
| 2. 19P13**         | Thirteen West Las Olas / One West LOA, LLC                |
| 3. 11T13*          | City of Fort Lauderdale / Downtown Master Plan Amendment  |
| 4. T14001*         | City of Fort Lauderdale                                   |

#### **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.

|                                       |   |
|---------------------------------------|---|
| <b>1. <u>Applicant / Project:</u></b> | The Conrad Fort Lauderdale / 551 North FLB Marketing, LLC   |
| <b>Request: **</b>                    | Amendments to previously approved Site Plan Level IV Development, including Request for Application of Prior Zoning Regulation to increase FAR  |
| <b>Case Number:</b>                   | 75R13   |
| <b>General Location:</b>              | State Road A1A between Windamar and Terramar Streets  |
| <b>Legal Description:</b>             | Lot 1, and the W 35 feet of Lot 2, of resubdivision of Block B, Birch Ocean Front Subdivision, PB 26, P 34, of the Public Records of Broward County. Lot 2, less and except the west 35 feet thereof, Lot 3, Lot 4 and the W 35 feet of Lot 7, and Lot 8, of resubdivision of Block B, Birch Ocean Front Subdivision, PB 26, P 34, of the Public Records of Broward County. Lot 5, Lot 6 and Lot 7, less and except the W 35 feet thereof of resubdivision of Block B, Birch Ocean Front Subdivision, PB 26, P 34, of the Public Records of Broward County. |
| <b>Case Planner:</b>                  | Randall Robinson  |
| <b>Commission District:</b>           | 2   |

Disclosures were made, and any members of the public wishing to speak on this Item were sworn in.

Heidi Davis, representing the Applicant, explained that the subject property is located within the ABA zoning district. The proposed site plan modifications include a remodeled A1A façade, a large pedestrian plaza, and the removal of existing concrete structures at the location. Some existing hotel rooms at the site would be converted to

residential units, and a ballroom and meeting facilities would be added above the courtyard of the existing structure.

Jorge Garcia, architect for the Applicant, showed a before-and-after PowerPoint presentation on the project, noting that all sides of the building would be treated as front spaces. Existing planters will be removed; additions include water features, an exterior/interior lobby concept, and a café. He showed several views of the proposed site, including an aerial view showing the addition of the 6<sup>th</sup> floor ballroom and deck.

Ms. Davis continued that the conversion of hotel rooms to residential space requires Site Plan Level 4 approval. The 298 approved hotel rooms would be converted to 290 total units, 181 of which would remain hotel rooms and 109 of which would become residential. Non-residential uses along the A1A corridor include a restaurant and bar. 60% of the total units proposed would be hotel units. The addition of the ballroom would extend the building's length to more than 200 ft. to the east and west; Code allows an east/west increase only for the portion of a structure up to 55 ft. in height and if the structure's overall height does not exceed 250 ft., both of which criteria are met by the building.

Because the addition of the ballroom and meeting space increases the building's floor area ratio (FAR), the Applicant requests an application of prior zoning regulation. Code allows for the application of prior zoning if a regulation has changed since the original approval of a development. The Applicant also wishes to use applicable bonus design points, which complied with ULDR regulations at the time of original approval. This request would allow an additional 10% FAR, which constitute 7 of 14 points on the ABA zoning district's Design Compatibility and Community Character Scale.

Ms. Davis concluded that the Application has been approved by the Central Beach Alliance (CBA), Beach Council, and the Greater Fort Lauderdale Chamber of Commerce. Staff has indicated that the Application meets all applicable Code criteria as well as Comprehensive Plan requirements.

Randall Robinson, representing Urban Design and Development, explained that the Site Plan Level 4 request means the Board's vote will serve as a recommendation to the City Commission.

There being no further questions from the Board at this time, Chair McTigue opened the public hearing. As there were no members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

**Motion** made by Vice Chair Hansen, seconded by Mr. McCulla, to approve with all the recommendations of the Staff Report. In a roll call vote, the **motion** passed 7-0.

2. **Applicant / Project:** Thirteen West Las Olas / One West LOA, LLC

**Request:** \*\* Plat Review

**Case Number:** 19P13

**General Location:** North side of W Las Olas Blvd between S Andrews Avenue and SW 1 Avenue

**Legal Description:** The E 24.667 feet of the W 70.00 feet of Lots 19 and 20, less the N 2.00 feet thereof, Block 26, "Original Town of Fort Lauderdale", according to the plat thereof, as recorded in P.B. "B", P 40, of the Public Records of Dade County, Florida less the S 38.00 feet thereof for W Las Olas Blvd (Wall Street) Right-of-Way as Recorded in Miscellaneous Map Book 4, P 43, of the PRBC.

**Case Planner:** Eric Engmann

**Commission District:** 4

Disclosures were made, and any members of the public wishing to speak on this Item were sworn in.

John Milledge, representing the Applicant, stated that the Application is for a boundary plat to allow 12,000 sq. ft. of office use and 1,700 sq. ft. of commercial use. The plat would join with a previous plat to the east of the property, with the goal of constructing a six-story office building.

Eric Engmann, representing Urban Design and Development, stated that the property is zoned Regional Activity Center-City Center (RAC-CC) and is currently vacant. Staff recommends approval of the request.

There being no further questions from the Board at this time, Chair McTigue opened the public hearing. As there were no members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

**Motion** made by Vice Chair Hansen, seconded by Ms. Tuggle, to approve. In a roll call vote, the **motion** passed 7-0.

3. **Applicant / Project:** City of Fort Lauderdale / Downtown Master Plan Amendment
- Request: \*** Amendment to Chapter 4: Design Guidelines of the Master Plan to include Transient Oriented Development (TOD) guidelines for the purpose of guiding and encouraging future development and redevelopment within proximity to premium transit stations in the Downtown Regional Activity Center (RAC).
- Case Number:** 11T13
- General Location:** The amendment applies to the Downtown Regional Activity Center (RAC), generally located S of Sunrise Blvd., N of the Tarpon River between SE 9<sup>th</sup> Avenue and NW 7<sup>th</sup> Avenue.
- Case Planner:** Todd Okolichany
- Commission Districts:** 2, 3 and 4

Todd Okolichany, representing Urban Design and Development, showed a PowerPoint presentation on the proposed Downtown Master Plan Amendment. Staff's proposed update to the Plan will incorporate transit-oriented development (TOD) guidelines, which were written in response to the initiation of several transit projects, which will help support the growth of the Downtown area. These projects include the Tri-Rail Coastal Link commuter rail service, All Aboard Florida passenger rail on the FEC railway, and the future implementation of the Wave modern streetcar.

Phase 1 of the project includes new guidelines for the one-quarter mile radius around premium transit stations. Phase 2 anticipates expansion of these guidelines to areas outside the Downtown RAC. Transit-oriented development (TOD) is defined as the functional integration of land use and transit through the creation of compact and walkable mixed-use communities within walking distance of transit stops. The guidelines would apply within a one-quarter mile radius of premium transit stations within the Downtown RAC, as well as one-quarter mile around the Wave streetcar route rather than only its stops.

Mr. Okolichany reviewed the proposed TOD guidelines, noting that they would:

- Discourage land uses that are incompatible with transit and walkability, such as lower-density single-family homes and auto-oriented uses within 200 ft. of All Aboard Florida stations;
- Discourage strip commercial retail and big-box stores if they are not part of mixed-use development;
- Encourage pedestrian connections to transit stops and create a walkable environment;
- Encourage bike connections to transit and align with Complete Streets guidelines when appropriate;
- Design and locate parking consistent with TOD principles and promote parking for various modes of transportation, with preference given to structured parking rather than surface lots;
- Incorporate travel demand management (TDM) measures, which strive to reduce traffic and environmental impacts and parking demand and result in more efficient use of traffic and parking resources;
- Reduce parking to eliminate excess pavement and promote the best use of land within the station areas, including the addition of more exempt parking in the "near Downtown;"
- Reduce parking within urban neighborhood character areas;
- Reduce parking requirements for restaurants, including lining parking areas with more active uses if parking exceeds more than 125% of a typical parking requirement;
- Encourage green buildings, site design, and infrastructure; and
- Create active, safe multimodal transit stations in the Downtown area.

Mr. Okolichany advised that the intent is to align parking standards with the three character areas found Downtown rather than the various zoning districts in this area. This will expand the area in which parking is exempt to include portions of the RAC-CC, RAC-UV, and transitional RAC zoning districts. Parking requirements for restaurants in the near Downtown would be reduced from 10 spaces per 1000 sq. ft. to 5 spaces per 1000 sq. ft., with exemptions for restaurants of less than 2500 sq. ft.

Next steps include presenting the proposed Amendment at an upcoming City Commission meeting, followed by amendments to zoning texts in order to implement TOD guidelines and revise the current Downtown RAC section of the ULDR. Staff plans to consider expanding TOD strategies within one half-mile outside the Downtown RAC.

The Board members discussed the presentation. Mr. Cohen expressed concern with the proposed parking exemption for restaurants under 2500 sq. ft. Mr. Okolichany replied that current ULDR guidelines already exempt small restaurants within the City Center. The intent is to reduce the current parking ratio for restaurants, which can hinder the development of smaller restaurants.

Mr. McCulla requested clarification of what is meant by “discouraging a use.” Mr. Okolichany explained that this would precede potential changes to zoning Code in the future: certain uses, such as large single retail stores, would still be permitted if they were integrated into mixed-use developments, but not as stand-alone establishments. Mr. McCulla expressed concern that the encouragement of mass transit use could inadvertently result in punishing individuals who want to drive cars.

Mr. Ferber pointed out that the area under discussion represents less than 1% of the City’s land area, and noted that a goal of the City’s Land Use Plan is to create higher density within the Downtown RAC. He added that there must be sufficient density in order for transit to function within this area, and concluded that it may be difficult to reconcile concerns for projects of a smaller scale with the necessary residential density to make commercial uses successful without the addition of large parking lots, particularly within a compressed area.

Mr. Ferber and Mr. Okolichany discussed some of the specific language within the Amendment, noting that some developments may offer improved architectural elements or active uses on upper floors in exchange for lesser streetscapes. It was also noted that even very dense urban environments may include large stand-alone retail buildings.

Mr. McCulla revisited the issue of parking, asserting that some large, pedestrian-friendly developments suffer because there was no parking requirement within some RAC areas of the City. He concluded that while parking exemptions may encourage use of other forms of transportation, amending the Downtown Master Plan to force this use seemed preemptive. Ms. Tuggle pointed out, however, that residents must become accustomed to other forms of transportation in order to begin using them regularly, and noted that the break must be extreme in some cases.

The Board members further discussed parking issues, including a current lack of “friendly” mass transit alternatives, which should be developed before other forms of transportation are discouraged and parking requirements are reduced or eliminated. The positive and negative effects of reduced parking requirements on businesses were also discussed. The mixture of developments with several units per acre and developments of significantly lower density in the Downtown area was also noted, with the clarification that no minimum density is being proposed.

Chair McTigue expressed concern that the proposed reduction or elimination of parking requirements could be premature if the change is enacted before all the proposed transit alternatives are in place. Mr. Ferber pointed out that the density within the Downtown RAC already provides for more active street life and will eventually reach a level in which the desired change will occur.

Attorney Spence clarified that the Board is not being asked to vote for specific regulations at this time, but for design guidelines within Code that would allow for the application of these regulations within the Downtown RAC. The Board is asked to review the proposed guidelines as if they are reviewing a change to the regulations; they may recommend changes to the guidelines, or may recommend the adoption of the guidelines as presented.

There being no further questions from the Board at this time, Chair McTigue opened the public hearing.

John Milledge, General Counsel to the Downtown Development Authority (DDA), advised that this organization has worked with Staff in recent months to ensure the proposed Amendment is complimentary to the implementation of the Wave streetcar. He advised that TOD will be necessary for the Wave, particularly as it expands beyond the RAC and as a land use tool to direct future growth outside the Downtown area. He confirmed that while the City is not required to enact the proposed Amendment, the federal government, which has approved the Wave, expects that increased density and intensity will occur along the streetcar’s proposed route, and that growth will need to be directed along this route as it expands.

Robert Lochrie stated he represented a number of developers and property owners in the Downtown area. He advised that TOD should not discourage the construction of parking facilities in this area, and pointed out that because all parking structures cannot provide retail or other active uses, allowing these structures to feature pedestrian-friendly elements such as attractive fenestration was a positive option.

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

**Motion** made by Mr. Ferber, seconded by Mr. McCulla, to accept the Staff draft document with the [following] two changes: to strike the prohibition on the 30,000 sq. ft. free-standing or single-use retail in the Downtown RAC, and to omit the word “shall” in page 13, note number two, that refers to active uses on second and higher levels of structured parking [and replace the word “shall” with “may”].

In a roll call vote, the **motion** passed 6-1 (Mr. Cohen dissenting).

1. **Applicant / Project:** City of Fort Lauderdale  
**Request: \*** Amendments to ULDR Sections 47-23.5, amending provisions to provide specific on-site location criteria for buildings and structures located within business and industrial zoning districts and 47-23.9, permitting encroachment of certain pedestrian amenities within the required Interdistrict Corridor and to create a process to permit a request for a reduction of the required Interdistrict Corridor  
**Case Number:** T14001  
**General Location:** City-wide  
**Case Planner:** Anthony Greg Fajardo  
**Commission District:** City-wide

Anthony Fajardo, Chief Zoning Examiner, showed a PowerPoint presentation providing background information on the proposed ULDR Amendment. He explained that the 2035 Vision Plan, which was adopted by the City Commission in 2013, lays out a long-term vision for Fort Lauderdale through the year 2035, which was established after several forms of public outreach. The Plan sets forth a vision statement regarding what the City would like to be by 2035.

He reviewed two of the Plan’s strategic initiatives:

- Develop a City-wide comprehensive public-private sidewalk policy and plan to improve sidewalks and connections; and
- Examine land use patterns and neighborhood development trends to recommend changes to the ULDR for optimal neighborhood growth, including parking, landscaping, setbacks, change of use, [and] reuse.

The Amendment before the Board is believed to further these goals toward the implementation of a safe, walkable, multimodal City. Key objectives include wide, pedestrian friendly sidewalks, active ground-floor uses, and minimal setbacks.

While these changes are generally discussed in relation to the Downtown area, certain aspects of the Downtown Master Plan may be applied City-wide. The proposed Amendment, which relates to specific inter-district corridor requirements of the ULDR, would make the following changes:

- Buildings must be located up to the setback line (with exclusions for context, such as parking or circulation);

- Allow outdoor dining and enhanced pedestrian amenities within the inter-district corridor, as well as the ability to request an exemption for encroachment of buildings into the 20 ft. buffer, subject to certain criteria.

Mr. Fajardo advised that these are examples of amenities that could be allowed within the inter-district corridor, along with enhanced landscaping and bicycle racks.

The Board members discussed the proposed Amendment, with the clarification that there may be alternatives that, while previously not considered, can better the intent and vision of the 2035 Vision Plan and the goals of the City. When site plans are submitted to Staff, there are triggers that would cause some plans to come before the Board for review; however, most would be addressed through Site Plan Level 2 review at the DRC level. If the DRC recommends against a specific application, the applicant could then appeal the decision to the Planning and Zoning Board.

Mr. Fajardo also pointed out that only limited right-of-way space is remaining, although he noted that the right-of-way on Federal Highway is very wide and could provide space for enhanced pedestrian amenities and multimodal connections.

There being no further questions from the Board at this time, Chair McTigue opened the public hearing. As there were no members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

**Motion** made by Mr. Cohen, seconded by Vice Chair Hansen, to approve. In a roll call vote, the **motion** passed 7-0.

#### **IV. COMMUNICATION TO THE CITY COMMISSION**

None.

#### **V. FOR THE GOOD OF THE CITY**

None.

There being no further business to come before the Board at this time, the meeting was adjourned at 9:03 p.m.

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