



**PLANNING AND ZONING BOARD MEETING MINUTES
DEVELOPMENT SERVICES DEPARTMENT
700 NW 19 AVENUE, FORT LAUDERDALE, FL 33311
WEDNESDAY, APRIL 17, 2024 – 6:00 P.M.**

CITY OF FORT LAUDERDALE

Board Members	Attendance	Present	Absent
Michael Weymouth, Chair	A	8	0
Brad Cohen, Vice Chair	P	7	2
John Barranco	P	7	2
Mary Fertig (arr. 6:09)	P	8	1
Steve Ganon	P	8	1
Marilyn Mammano	P	7	3
Shari McCartney	P	9	0
Patrick McTigue	P	9	0
Jay Shechtman	P	8	1

Staff

Ella Parker, Urban Design and Planning Manager
Shari Wallen, Assistant City Attorney
Nancy Garcia, Urban Design and Planning
Yvonne Redding, Urban Design and Planning
Leslie Harmon, Recording Clerk, Prototype, Inc.

Communication to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Vice Chair Cohen called the meeting to order at 6:01 p.m. The Vice Chair introduced the Board members present and the Pledge of Allegiance was recited. Urban Design and Planning Manager Ella Parker introduced the Staff members present.

1. APPROVAL OF MINUTES / DETERMINATION OF QUORUM

Motion made by Ms. McCartney, seconded by Mr. McTigue, to approve the minutes from last month. In a voice vote, the **motion** passed unanimously.

It was noted a quorum was present at the meeting.

III. PUBLIC SIGN-IN / SWEARING-IN

Any members of the public wishing to speak at tonight’s meeting were sworn in at this time.

Vice Chair Cohen indicated that the Board would accept the Staff reports for all Agenda Items.

IV. AGENDA ITEMS

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<u>Case Number</u>	<u>Applicant</u>
1. UDP-P23004**	City of Fort Lauderdale
2. UDP-V23006	City of Fort Lauderdale
3. UDP-V23007	City of Fort Lauderdale
4. UDP-V23003	Local Equity Three, LLC
5. UDP-Z23016* **	702 NW 3 rd ST LLC and 718 NW 3 ST LLC
6. UDP-Z23017* **	Neal Mitchell, BDM Ventures Florida LLP, Wayne and Jean Shallenberger
7. UDP-S23052**	Lucky 14, LLC
8. UDP-T24004*	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,

~~1. CASE: UDP-P23004~~

~~**REQUEST:** ** Plat Review~~

~~**APPLICANT:** City of Fort Lauderdale~~

~~**AGENT:** Elizabeth Tsouroukdissian, Pulice Land Surveyors~~

~~**PROJECT NAME:** Prospect Lake Clean Water Center Plat~~

~~**PROPERTY ADDRESS:** 5900 Hawkins Road~~

~~**ABBREVIATED LEGAL DESCRIPTION:** Replat of a portion of Tracts “B” and “C” of “Palm Aire Village 4th Section” and Acreage 7-49-42~~

~~**ZONING DISTRICT:** Commerce Center (CC)~~

~~**LAND USE:** Employment Center~~

~~**COMMISSION DISTRICT:** 1—John Herbst~~

~~**NEIGHBORHOOD ASSOCIATION:** N/A~~

~~**CASE PLANNER:** Yvonne Redding~~

Disclosures were made at this time.

~~Ms. Mammano also noted that the rezoning would include a reduction of the front yard requirement from 25 ft. to 5 ft., which she felt was excessive and would adversely affect the character of adjacent properties. She encouraged the Applicant to take this into account when preparing a Site Plan for the subject property, pointing out that the new requirement would affect existing residential developments which have more generous setbacks. Ms. Toothaker stated that she would share this concern with the project's developer.~~

~~**Motion** made by Ms. Fertig, seconded by Mr. Shechtman, to recommend approval of UDP Z23016 based on the findings of fact in the Staff Report, and we find that the Application meets the applicable criteria of the ULDR cited in the Staff Report. In a roll call vote, the **motion** passed unanimously (8-0).~~

6. CASE: UDP-Z23017

REQUEST: * ** Rezoning from Residential Multifamily Mid Rise/Medium High Density (RMM-25) District and Exclusive Use Parking (X-P) District to Northwest Regional Activity Center-Mixed Use Northeast (NWRAC-MUone) District

APPLICANT: Neal Mitchell, BDM Ventures Florida LLP, Wayne and Jean Shallenberger

AGENT: Stephanie J. Toothaker, Esq.

ADDRESS: 823, 816, 820, 824 #1-5 NW 1st Avenue, 801 N. Andrews Avenue, 804, 808, and 812 NW 1st Avenue

ABBREVIATED LEGAL DESCRIPTION: PROGRESSO 2-18 D LOTS 9 THRU 12, ALL LESS E 15 FOR ST, LOTS 39 & 40 BLK 259; AND PROGRESSO 2-18 D LOT 32 TO 38 BLK 259 LESS PORS DESC IN OR 27933/674; AND 28769/794; 28593/119 & 28525/62 TOG WITH 27974/94; AND PROGRESSO 2-18 D A POR OF LOTS 34, 35, & A POR OF LOT 36 BLK 259 DESC AS: COMM SW COR LOT 25, N 228.89 TO POB, N 66.72, E 135, S 66.72, W 135 TO POB BLK 259; AND PROGRESSO 2-18 D LOT 32, 33 AND A POR OF LOT 34 BLK 259 DESC AS: COMM SW COR LOT 25, N 175 TO POB CONT N 53.89, E 135, S 175, W 135 TO POB BLK 259; AND PROGRESSO 2-18 D LOT 30, 31 BLK 259; AND PROGRESSO 2-18 D LOT 28 N1/2, 29 BLK 259; AND PROGRESSO 2-18 D LOT 27, 28 S1/2 BLK 259; AND PROGRESSO 2-18 D LOTS 17 THRU 24, ALL LESS RD R/W & LOTS 25 & 26 BLK 259

ZONING DISTRICT: Residential Multifamily Mid Rise/Medium High Density (RMM-25) District and Exclusive Use Parking (X-P)

PROPOSED ZONING: Northwest Regional Activity Center-Mixed Use Northeast (NWRAC- MUone) District

LAND USE: Northwest Regional Activity Center

COMMISSION DISTRICT: 2 - Steven Glassman

NEIGHBORHOOD ASSOCIATION: Progresso Village Civic Association, Inc.

CASE PLANNER: Nancy Garcia

Ms. Toothaker, representing the Applicant, explained that this rezoning request is identical to the previous Item with the exception of the location. It requests rezoning from RMM-25 to Northwest RAC—Mixed Use Northeast (NWRAC-MUne). The site is in the center of the Progresso Village Civic Association's boundaries. The Applicant met with this Association twice following the Item's previous referral. The Association did not take a position on the request.

This rezoning request also continues the pattern of rezoning in the NWRAC. Roughly half of the block has already been rezoned.

Disclosures were made at this time.

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

Ms. Mammano asked how many existing residential units on the site would be demolished. Ms. Toothaker replied that she did not know the answer to this. Ms. Mammano asserted that she was very concerned with the rezoning, as affordable housing is lost as projects move forward in this area.

Ms. Mammano also addressed the conditions of the front yards on properties across the street from the subject site, stating that the area has been redeveloped appropriately without rezoning. She pointed out that the properties across the street include town homes and duplexes with "very generous front yards and landscaping," and expressed concern that the proposed rezoning would reduce front yard requirements to 5 ft. or less. She concluded that she felt the proposed change would be more egregious than the previous rezoning request due to the redevelopment across the street.

Vice Chair Cohen observed that the town homes across the street are most likely not affordable housing. He added that additional density is sought for redevelopment because a developer could not afford to build affordable housing without it, as they would not be able to make a profit on their development. Density generally contributes to affordable housing, as the provision of extra units will make the development more profitable. He suggested that concerns regarding front yard setbacks be discussed further under Agenda Item VI, For the Good of the City of Fort Lauderdale.

Ms. Fertig commented that while there is frontage on Andrews Avenue, it differs from the frontage seen in the neighborhood behind that roadway. She added that the Board will most likely have to discuss front yard setbacks in terms of climate change in the future, and agreed with the Vice Chair that this could be discussed further under Agenda Item VI.

Ms. Fertig continued that rezoning in the subject area, as well as in the Uptown district, seems to proceed property by property, and proposed that the Board discuss this further under Agenda Item VI as well.

Nancy Garcia, representing Urban Design and Planning, noted that Exhibit 2 in the Board's backup materials, which is an agent authorization form, does not include a signature due to a technical issue. She confirmed that the document was signed by electronic signature and will be transmitted to the City Commission.

Motion made by Ms. Fertig, seconded by Mr. Barranco, to recommend approval of Case Number UDP-Z23017 based on the findings of fact on the Staff Report, the testimony we heard, and we find that the Application meets the applicable criteria of the ULDR cited in the Staff Report. In a roll call vote, the **motion** passed 6-2 (Ms. Mammano and Mr. Shechtman dissenting).

~~7. CASE: UDP-S23052~~

~~REQUEST: ** Site Plan Level III: Parking Reduction for Outdoor Dining~~

~~APPLICANT: Lucky 14, LLC~~

~~AGENT: Andrew Schein, Esq.~~

~~PROJECT NAME: Luigi's Coal Fired Pizza~~

~~PROPERTY ADDRESS: 1415 E Las Olas Boulevard~~

~~ABBREVIATED LEGAL DESCRIPTION: COLEE HAMMOCK 1-17 B LOT 15
LESS ST, 16 LESS ST BLK 33~~

~~ZONING DISTRICT: Boulevard Business (B-1)~~

~~LAND USE: Commercial~~

~~COMMISSION DISTRICT: 4 - Warren Sturman~~

~~NEIGHBORHOOD ASSOCIATION: Colee Hammock Homeowners Association~~

~~CASE PLANNER: Adam Schnell~~

Disclosures were made at this time.

Andrew Schein, representing the Applicant, stated that the request is for a restaurant whose business consists of approximately 60% takeout and 40% dine in service. During the COVID-19 pandemic, when a number of indoor dining restrictions were in place, the business was permitted to add outdoor dining, which was successful. While they retained outdoor dining following the pandemic, Code Enforcement eventually cited the restaurant for continuing outdoor dining without an appropriate permit.

Mr. Schein explained that the area used for outdoor dining was previously paved but was not consistently used. The space is approximately 800 sq. ft. in size.

Mr. Schein continued that there are three applicable parking reduction requirements:

- Adequacy requirement: the Applicant has provided a narrative showing water, wastewater, school, and park capacity; only the water/wastewater requirement is

~~Ms. Parker observed that these studies focused on form based regulations along major corridors, as well as the underlying land uses and zoning districts. She added that Staff has discussed how to best address industrial areas, which will require significant public outreach before it can be addressed in the future. Any proposed changes will come before the Board and the City Commission.~~

There being no further business to come before the Board at this time, the meeting was adjourned at 7:47 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.]