



**PLANNING AND ZONING BOARD MEETING MINUTES
CITY HALL COMMISSION CHAMBERS
100 N. ANDREWS AVE., FORT LAUDERDALE, FLORIDA 33301
WEDNESDAY, JANUARY 18, 2023 – 6:00 P.M.**

CITY OF FORT LAUDERDALE

Board Members	Attendance	Present	Absent
Michael Weymouth, Chair	P	8	0
Brad Cohen, Vice Chair (dep. 7:10)	P	6	2
John Barranco	P	8	0
Mary Fertig	P	7	1
Steve Ganon	P	8	0
Shari McCartney	P	5	3
Patrick McTigue	P	6	0
William Rotella	P	7	1
Jay Shechtman	P	7	1

Staff

Ella Parker, Urban Design and Planning Manager
 Patricia Saintvil-Joseph, Assistant City Attorney
 D'Wayne Spence, Interim City Attorney
 Chris Cooper, Director, Development Services Department
 Karlanne Devonish, Urban Design and Planning
 Nancy Garcia, Urban Design and Planning
 Adam Schnell, Urban Design and Planning
 Lorraine Tappen, Urban Design and Planning
 Jim Hetzel, Urban Design and Planning
 Trisha Logan, Urban Design and Planning
 Clarence Woods, CRA Manager
 Cija Omengabar, Central City CRA Planner
 Leslie Harmon, Recording Secretary, Prototype, Inc.

Communication to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

~~Chair Weymouth called the meeting to order at 6:01 p.m. and introduced the Board members present. Urban Design and Planning Manager Ella Parker introduced Staff.~~

II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM

~~**Motion** made by Ms. McCartney, seconded by Vice Chair Cohen, to approve. In a voice vote, the **motion** passed unanimously.~~

~~The Applicant held a public participation meeting at the subject property and planned a presentation, but there were no attendees. They then presented the Application to the Edgewood Civic Association at their November 2022 meeting. Most questions addressed compliance with the appropriate zoning district. The proposed hotel is eight stories in height and located in the B-1 zoning district.~~

~~The hotel will be activated at ground level on three of its four sides, with ground level studio hotel rooms, a pool, and a porte cochere. FDOT has agreed that the existing large shade trees on the south side of SR 84 will remain in place.~~

~~The hotel will have 172 rooms. Ms. Crush noted that in all locations other than the Fort Lauderdale Beach, hotels require one parking space per room; however, because the hotels on SR 84 serve airport and port passengers, and due to the use of ride sharing and shuttle services, that number is not expected to be necessary. The Applicant's traffic engineer gathered data on two hotels to the west, as well as another hotel on US 1 and SR 84, and concluded that the daily demand on parking, during the pre-COVID-19 tourist season, was 44% to 55%. Actual demand is calculated at 95 parking spaces. The Applicant proposes 107 spaces, although they do not believe that amount will be necessary.~~

~~Ms. Crush reviewed renderings of the proposed hotel's elevations, shade canopy, entryway, and surface parking lot. She concluded that the Site Plan's circulation was reviewed by FDOT and it was determined that there was no need for an additional turn lane, as one has already been constructed for the previous two hotels in the area.~~

~~There being no questions from the Board at this time, Chair Weymouth 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 Ms. Fertig, seconded by Mr. McTigue, to adopt the Resolution approving a Site Plan Level III in case number UDP-S21038, based on the following findings of fact as presented by the Staff and the Applicant, and the testimony heard, and I hereby find that the Application meets the standards and requirements of the ULDR criteria for the proposed use as cited in the Resolution, and this includes any and all conditions. In a roll call vote, the **motion** passed unanimously (9-0).~~

2. CASE: UDP-Z22017

REQUEST: * Rezone from Residential Single Family/Medium Density (RDs-15) District to Residential Multifamily Low Rise/Medium Density (RM-15) District

APPLICANT: City of Fort Lauderdale

GENERAL LOCATION: Powerline Road\NW 9th Avenue to the West, NW 16th Street to the North, NW 7th Avenue to the East, and NW 13th Street to the South

ABBREVIATED LEGAL DESCRIPTION: Progresso Plat Book 2, Page 18, Block 25-27, 69-74

ZONING DISTRICT: Residential Single Family/Medium Density (RDs-15) District

PROPOSED ZONING DISTRICT: Residential Multifamily Low Rise/Medium Density (RM-15) District

LAND USE: Medium Residential

COMMISSION DISTRICT: 2 – Steven Glassman

NEIGHBORHOOD ASSOCIATION: South Middle River Civic Association

CASE PLANNER: Lorraine Tappen

Lorraine Tappen, representing Urban Design and Planning, showed a PowerPoint presentation on the Item, which requests rezoning of an area in the Central City Community Redevelopment Agency (CRA). The area is located in the northwest quadrant of the CRA and would be rezoned from RDs-15 to RM-15.

The area's existing zoning limits residential uses to building and/or rebuilding traditional single-family homes. The proposed RM-15 zoning district allows for more single-family dwelling unit options, including traditional single-family homes, duplexes, cluster developments, zero-lot-line developments, town homes, and multi-family uses, among others. Multi-family development would be limited to 13th Street. Ms. Tappen pointed out that cluster and zero-lot-line developments would be required to come to the Planning and Zoning Board for review.

Height requirements in the RM-15 district remain 35 ft., which is the same height allowed in the RDs-15 district. Setbacks remain essentially the same. There is a slight difference in the minimum lot size requirement: RDs-15 requires 6000 sq. ft. for single-family development, while RM-15 requires 5000 sq. ft. for detached single-family homes or duplexes and 7500 sq. ft. for town homes and multi-family development.

Ms. Tappen recalled that Staff had received questions from the Board regarding a similar zoning change presented at the November 2022 meeting, including whether or not that change would increase density. She confirmed that the potential density would remain the same for both the proposed zoning district and the area's Future Land Use. The existing density, based on the various types of dwelling units in the area, is approximately nine dwelling units per acre.

The Board had also previously asked if RM-15 zoning was compatible with other properties zoned RDs-15 and located to the east. Ms. Tappen clarified that this zoning district is consistent with the residential medium density Future Land Use category, which permits up to 15 dwelling units per acre. The intent of the RM-15 district is to provide areas for single-family residences as well as a variety of low-rise multi-family residences, and is limited to locations in proximity to arterial/collector roadways or community facilities such as schools.

Ms. Tappen noted that RM-15 zoning is adjacent to RS-8, RC-15, and RD-15 zoning. She pointed out that in some neighborhoods, such as Victoria Park, there is an eclectic mixture of single-family residential uses, such as town homes.

In 2017, the City's Urban Design and Planning Division initiated a number of Code revisions known as Neighborhood Design Criteria Revisions (NDCRs) in response to the perception that some newer buildings were out of scale with the existing single-family character of the community. While no consensus was reached on design standards for detached single-family dwellings, there was consensus on standards for duplexes, town homes, and cluster developments.

One standard considered for these types of dwellings was fencing or walls: specifically, whether or not the new zoning district could result in town homes with walls that face single-family development. The current requirement for walls or fencing in front of town homes, cluster, or duplex developments states that 75% of all walls must be non-opaque, using materials such as vertical bars or picket fences. Opaque walls or hedges may not exceed 2.5 ft. in height.

Ms. Tappen addressed the impact of cluster developments, noting that under NDCR, cluster or zero-lot-line developments with buildings taller than 22 ft. must be stepped back to lessen the impact on neighboring buildings. These developments are also required to meet density requirements. 25% of cluster developments must be glass, and garages on shared driveways may not face the street. There are also additional requirements for roof landings and landscaping.

It was also asked at the November 2022 meeting whether or not the RM-15 zoning district might result in fewer trees and landscaping. The existing RDs-15 zoning district has no minimum landscaping requirements, and single-family lots are required to have a total of four trees. RM-15 zoning requires a minimum of 35% landscaping, requires a roof landing in most cases, and requires one tree per 1000 sq. ft. of frontage for multi-family, town home, and cluster developments. 21% of the required trees must be shade trees. There is also a minimum requirement of 12 ornamental shrubs for every 1000 sq. ft. in addition to vehicular use requirements.

Other neighborhood design criteria include:

- Town home developments must be offset so they are not in a straight line or a single long building
- Town home developments must also show variation in height, and garages must be distributed evenly
- Cluster developments must include architectural features on all sides, and garages must be on the side or in the rear of the building(s)

Ms. Tappen advised that Staff also wished to present an alternative to the proposed RM-15 zoning in case the Board has additional concerns. One possibility would be rezoning the three blocks from 9th Avenue to 8th Avenue to RM-15 and the eastern

portion of the subject area to RD-15 or RC-15. She noted that RC-15 zoning does not permit multi-family development, although town homes are permitted there.

Ms. Parker noted that the Board members were presented with a table clarifying the uses allowed in each of these potential zoning districts.

Ms. Tappen stated that the Central City CRA began holding workshops in 2018, although this was paused in 2019 when the City determined they wished to take a different direction with the redevelopment. Work resumed in 2021 with a new consultant. The rezoning of the northwest quadrant is considered Phase 1 of the redevelopment effort. Phase 2 will be creation of a mixed-use zoning district for the areas north of Sunrise Boulevard, along the FEC rail corridor, and in the eastern portion of NE 13th Street. Phase 3 will introduce a Land Use Plan Amendment to fully allow the uses and density envisioned for the area, and will include community workshops.

Meetings specific to the proposed rezoning effort include:

- Central City CRA Board meetings in August and October
- Middle River Terrace Neighborhood Association formal public participation meeting on this specific Item
- November 16, 2022 and January 18, 2023 Planning and Zoning Board meetings
- If approved by the Planning and Zoning Board, first reading before the City Commission on March 21, 2023

Mr. Shechtman recalled that when this Item came before the Board in November 2022, he had recommended more restrictive zoning, with RM-15 on the left three blocks of the subject area and RD-15 for the remainder. The Board had not voted on the Item at that time, but allowed the Applicant time to review these options and bring the Item back.

Mr. Shechtman also asked if any of the photos shown at tonight's meeting were multi-family developments, or if they were all town homes. Ms. Tappen replied that these were all town home and cluster development projects.

Chair Weymouth requested that any individuals wishing to speak on this Item who were not sworn in earlier be sworn at this time. He noted that each individual speaking on the Item would have two minutes to do so.

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

Mary Ann Martone, private citizen, stated that she is a longtime resident of the subject area and wished to remain there.

It was noted for the record that private citizen Terry Carter opposed the proposed rezoning.

Marie McGinley, private citizen, advised that she fully supported the project as a resident of the Middle River neighborhood.

Newasann Sutherland, private citizen, asserted that the proposed zoning change was illegal and would contribute to homelessness. She expressed concern for residents who may not be fluent in English and were not aware of the proposed changes.

Cija Omengebar, Central City CRA Planner, provided the Board members with written comments from two members of the Central City CRA Advisory Board who could not be present at tonight's meeting. She noted that the membership of that Board voted unanimously to support the Application.

Joan Woody, private citizen, stated that she opposed the rezoning.

A. Marie Scott, private citizen, was disturbed by the proposed changes, and was concerned that residents of the neighborhood who do not read English might not have seen notice of tonight's meeting. She expressed concern for elderly residents in particular.

Ray Thrower, Chair of the Central City CRA Advisory Board, stated that this issue has been reviewed numerous times. Members of the Advisory Board have unanimously approved the rezoning as presented, with no changes, and felt that Phase 1 of the proposed redevelopment is the right step for the community.

Rockell McShan, private citizen, explained that she cannot develop a vacant lot in the subject area under its current zoning.

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. Fertig recalled that one of the Board's concerns expressed at the November 2022 meeting was for the lack of a community meeting. She noted that the schedule provided in the Board's backup materials did not show any additional community meetings between November 2022 and January 2023, and asked what more has been done in that time frame to communicate with residents of the subject area.

Ms. Tappen replied that a community meeting was held on the previous night, January 17, 2023, with some attendees. No other meeting was scheduled between November and January. Signs advertising tonight's meeting date were posted in the subject neighborhood.

Ms. Omengebar explained that when Phase 1 of the project was originally halted in 2019, the City had already held numerous engagement meetings with the community, including workshops intended to generate ideas for inclusion in a draft. She noted that funding for the project is limited. The community was informed of the project and

advised that its Code changes and details would be packaged and brought back to the Central City CRA Advisory Board, with meetings scheduled in the evenings so more residents could attend.

Ms. Omengebar continued that when updates on the rezoning project were provided by the City's consultant, she sent mass emails to residents who had provided their contact information. She pointed out that the proposal has not changed significantly from its first presentation in 2018-2020. The RM-15 proposal was determined to be the best option to provide residential development for the community. Due to the timing of the redevelopment project, not all members of the public remained fully engaged throughout the process.

Ms. Fertig asked if mailed notice was sent to the community in multiple languages. Ms. Omengebar replied that this was not done for Phase 1, although Staff plans to take this step for the next phase of the project.

Ms. Fertig stated that she was very concerned, as many of the residents giving public comment had indicated they felt the proposed change was being done to them instead of for them. Ms. Omengebar reiterated that there was intense community outreach for the first two years of the project, including mailers sent from the Central City CRA to all homes in the area. She noted that roughly 68% of residents rent their homes, which means it is difficult to determine which residents would be engaged on this topic. She has also held conversations with the president of the nearby neighborhood association, and hopes to present at a future meeting or meetings of this group.

Ms. Fertig observed that she had hoped Staff would take these additional outreach steps between November 2022 and the present in order to reach more residents of the subject area in Phase 1.

Ms. Fertig also asked if the members of the Central City CRA Advisory Board whose letters Ms. Omengebar had provided to the Board were also residents of the subject neighborhood. Ms. Omengebar noted that one of the two members lives in the CRA but not the northwest quadrant for which the rezoning is proposed. The second member lives approximately 300 ft. from the CRA. In addition to these letters, six meetings' worth of minutes were also provided, showing the Board voted unanimously in favor of the proposal.

Mr. Shechtman commented that the Board is not making a decision at tonight's meeting, but will make a recommendation that will go to the City Commission. He encouraged individuals with concerns about the Application to attend the Commission meeting at which it will be presented for approval.

Mr. Shechtman continued that the current RDs-15 zoning was originally RD-15, which allowed for 15 units per acre in the subject area. This permitted more housing to be constructed there. In the 1990s, many residents opposed the RD-15 zoning, which

resulted in the creation of RDs-15 zoning, which only allowed the construction of single-family homes in the neighborhood. If this zoning is retained, it would prevent the development of more housing opportunities in the area.

Mr. Shechtman advised that the proposed rezoning to RM-15 would reopen the area to a greater variety of housing. He asserted that he opposed the proposal as it has been presented to the Planning and Zoning Board, as he felt it would not be a positive step for the development of the subject neighborhood. He added, however, that the first three blocks of the area along Powerline Road could be appropriately rezoned as RC-15, while the remainder of the neighborhood could be rezoned to RD-15. This would prevent multi-family development or other changes that could change the character of the neighborhood.

Mr. Barranco observed that the issue appears to be a flaw in communication between the Central City CRA and the subject neighborhood. He agreed with Mr. Shechtman that property owners' rights should be restored to what they were before the RDs-15 zoning district was created, and was also in favor of greater density along Powerline Road.

Mr. Barranco asked what happened before 2018, when community outreach began. Ms. Omengebar replied that the area of the CRA was determined through numerous community meetings and discussion of the Redevelopment Plan. Through additional meetings, a proposal of the changes desired along the corridors and the northwest quadrant was determined.

Ms. Omengebar continued that once the Central City CRA was approved as a redevelopment area, no funding was available at that time. Between 2012 and 2015, there was additional discussion by the City Commission of rezoning the entire area based on the Redevelopment Plan. Once funding became available, the CRA sent out a request for proposal (RFP) to secure a consultant in 2018.

Mr. Barranco commented that this process did not seem to constitute a grassroots effort. Ms. Omengebar stated that the minutes of the Central City CRA Advisory Board would indicate otherwise, as that Board is made up of residents and stakeholders from the Central City CRA.

Central City CRA Manager Clarence Woods stated that when the City first sought to create this specific CRA, it was done with City tax increment financing (TIF) revenue only: Broward County did not include any TIF revenue. The process of creating the Redevelopment Trust Fund required both a finding of necessity and a Redevelopment Plan. The Plan was created through a series of community meetings and serves as a blueprint for eliminating slum and blight conditions as demonstrated by the finding of necessity. He noted that the projects included in the Central City CRA's Redevelopment Plan were generated from the community itself.

Mr. Barranco noted that there could be better communication between the City, the CRA, and the surrounding community, as plans for redevelopment could be misconstrued as gentrification. He cited improvements along the Sistrunk Corridor as examples of neighborhood investment by the Northwest CRA. He concluded that he would support improvements over current conditions in the Central City CRA, but was not in favor of the proposal before the Board.

Ms. McCartney agreed that the proposed changes were not organic to the community, and felt Mr. Shechtman's proposal to increase density on the edge of the northwest quadrant rather than in its center was a more sensible option. She also agreed with Mr. Barranco that there appear to have been communication issues.

Vice Chair Cohen pointed out that many of the properties in the subject area are rental properties, which meant those residents could lose their homes if an owner sees an opportunity to increase rent after a zoning change and a potential increase in property value. He felt the emphasis should be on convincing owners to improve their properties for the individuals who already live there. He also agreed with Mr. Shechtman's suggestion to create more density along a portion of Powerline Road, and was not in favor of the plan as presented.

Vice Chair Cohen left the meeting at 7:10 p.m.

Mr. McTigue stated that he was also disappointed that the Central City CRA did not act on the Board's recommendation that they meet with residents of the subject neighborhood. He strongly emphasized the need for proper outreach.

Mr. Rotella asked if public notice is sent to homeowners or rental tenants. Ms. Tappen replied that notice is sent to property owners. Mr. Rotella recalled that it was stated earlier in the meeting that 68% of homes in the neighborhood are rented and 32% are owned, which would mean a significant portion of residents could lose their rental homes if rents are increased after redevelopment.

Motion made by Ms. Fertig to defer this Item to hold a community meeting to notify the residents and the owners of the properties, to provide that notification in at least three languages, Haitian, Spanish, and English, and to hold at least one community meeting for this community.

Mr. Shechtman felt there should be additional communication to the public regardless of whether or not the Board votes upon or defers the Item. Ms. Fertig declared that her intent was to have Staff explain the meaning of the proposed rezoning to the community it would affect, and to have residents receive proper notification of the meeting(s) between now and the date to which the meeting may be deferred.

Chair Weymouth asked if this issue had any particular urgency that would be negatively affected if it were deferred. Ms. Omengbar replied that Staff can take time to conduct

additional outreach if that is the Board's desire. She requested, however, that any deferral be longer than one month, so that would provide Staff with sufficient time to advertise public meetings and conduct other outreach in multiple languages.

It was asked if the attendees at previous public meetings were all or mostly owners or renters. Ms. Omengabar stated that outreach has always been made to property owners, but indicated that she was willing to send notice to addresses within the subject area as well. Chair Weymouth strongly disagreed, asserting that these individuals did not have "skin in the game" and could easily move away; his preference was to reach out to the individuals who own and pay taxes on the properties.

Ms. Fertig reiterated that she would be in favor of notifying both the property owners and the tenants who rent properties, which would constitute broader community outreach. Mr. Ganon stated that due to the imbalance of owners and renters, most renters would be opposed to the changes, as it would likely mean an increase in their rent. He characterized renters as more transient than owners.

Ms. Fertig continued that the specific intent of her **motion** was to include broad notification to residents and property owners in at least three languages, with the understanding that Staff would explain the changes involved in the proposed rezoning(s).

Ms. Fertig restated her **motion** as follows: **motion** to defer Item whatever to the April Planning and Zoning meeting, and that during that time Staff notify the impacted neighborhoods, that would be the 41 acres plus anyone within 300 ft. of the proposed change as shown on here, RDS-15 to RM-15 from northwest 9th Avenue to northwest 8th Avenue and RDS-15 to RD-15 from northwest 8th Avenue to northwest 7th Avenue, to the impacted neighborhoods.

Ms. Parker encouraged all in attendance who wished to hear additional information about the Item to provide their contact information, and to recommend that any interested neighbors contact City and/or CRA Staff as well.

Ms. McCartney advised that there should not be a majority rule with regard to property rights, and the Board should take care not to suggest that a majority of renters or property owners in the neighborhood should be a criterion of the Item's approval. Chair Weymouth agreed, reiterating that his concern was that many people who expressed opposition or concern with the proposal may not have fully understood it.

In a roll call vote, the **motion** passed 7-1 (Mr. Shechtman dissenting).

~~3. CASE: UDP T22011~~

~~**REQUEST:** Amend the City of Fort Lauderdale Unified Land Development Regulations (ULDR) to Comply with Broward County Affordable Housing Policy Updates~~

historic properties within Fort Lauderdale, which would give a better understanding of what is necessary to protect these properties.

For the goal of Architectural Resource Surveys, the City has attempted for several years to assess all properties and identify significant properties within those neighborhoods. Another aspect of this goal was an application for grant funds for the Sailboat Bend Civic Association to digitize that organization's archives.

Ms. Logan noted that the goal of Policies would affect the Planning and Zoning Board and would come before them. One item currently being addressed is an amendment to the Sailboat Bend Historic District Ordinance, which will go before the Historic Preservation Board (HPB) and then the Planning and Zoning Board.


The fourth and final goal, Education, would include support of school curricula through the Fort Lauderdale Historical Society. Information can be shared with students and presented to the HPB members regarding various topics. These can be presented by subject matter experts, representatives of City agencies, or Staff-prepared presentations. A special event is being planned for Archaeology Month in March 2023.

Ms. Logan concluded that presentations on the Strategic Historic Preservation Plan have been shared with the HPB and the Planning and Zoning Board (PZB), and will eventually go before the City Commission for approval. Staff will monitor progress and provide an annual report on the Plan as its action items are achieved.


Mr. Shechtman recalled that the Board has previously approved transferable development rights, which incentivized historic preservation. Ms. Logan replied that there has only been one application for a Certificate of Eligibility thus far, and no transfers have occurred yet.

There being no further business to come before the Board at this time, the meeting was adjourned at 7:59 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.]