



**PLANNING AND ZONING BOARD MEETING MINUTES  
DEVELOPMENT SERVICES DEPARTMENT  
700 NW 19 AVENUE, FORT LAUDERDALE, FL 33311  
WEDNESDAY, JANUARY 21, 2026 – 6:00 P.M.**

<b>Board Members</b>	<b>Attendance</b>	<b>Present</b>	<b>Absent</b>
Patrick McTigue, Chair	P	8	0
Brian Donaldson, Vice Chair	P	8	0
Kevin Buckley	P	7	1
Hector DelaTorres	P	4	1
Whitney Dutton	P	7	1
Steve Ganon	P	8	0
Monty Lalwani	P	1	0
Jacquelyn Scott	A	6	2
Alexander Spence	P	5	0

**Staff**

Shaun Amarnani, Assistant City Attorney III  
 Jim Hetzel, Urban Design and Planning Manager  
 Lorraine Tappen, Principal Urban Planner  
 Adam Schnell, Urban Planner III  
 N. Day, Recording Clerk, Prototype, Inc.

**Communication to City Commission**

**Motion** made by Mr. Spence, seconded by Mr. Donaldson, to send a communication to the City Commission from the Planning and Zoning Board to have Staff conduct research on public notice requirements based on possible size, context, and location of the property. In a roll call vote, the **motion** passed 8-0.

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

The meeting was called to order at 6:00 p.m. and the Pledge of Allegiance was recited. Chair McTigue introduced the Board members present, including new member Monty Lalwani. Urban Design and Planning Manager Jim Hetzel introduced City Staff.

**II. DETERMINATION OF QUORUM / APPROVAL OF MINUTES**

The minutes of the December 17, 2025 meeting were approved by unanimous consensus.

**III. PUBLIC SIGN-IN / SWEARING-IN**

Any individuals wishing to speak on Agenda Items were sworn in at this time.



**DRAFT**  
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**IV. AGENDA ITEMS**

**Index**

<b>Case Number</b>	<b>Applicant</b>
1. UDP-V21002**	David Ide
2. UDP-S25001**	One on One Harbor Beach, Inc.

3. UDP-S24074\*\*            2933 Poinsettia Street, LLC
4. UDP-L24003\*           RPL Land LLC
5. UDP-Z24009\*           RPL Land 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.

Chair McTigue noted that the Applicant of Item 2 has requested deferral to the February 18, 2026 meeting.

**Motion** made by Mr. Donaldson, seconded by Mr. Spence, to defer UDP-S25001 to the next meeting, which is on the calendar as February 18, 2026. In a roll call vote, the **motion** passed 8-0.

1. **CASE:** UDP-V21002  
**REQUEST:** \*\* Vacation of Right-of-Way  
**APPLICANT:** David Ide  
**AGENT:** Jason Crush, Crush Law, P.A.  
**GENERAL LOCATION:** 50-foot wide by 102-foot-long portion of Coconut Drive, south of SW 9 Street, west of SW 11 Avenue, east of the South Fork New River Canal  
**ZONING DISTRICT:** Residential Single Family and Duplex/Medium Density (RD-15)  
**LAND USE:** Medium Residential  
**COMMISSION DISTRICT:** 4 – Ben Sorensen  
**NEIGHBORHOOD ASSOCIATION:** Tarpon River Civic Association  
**CASE PLANNER:** Tyler Laforme, AICP

Disclosures were made at this time.

Courtney Crush, representing the Applicant, recalled that the Item was deferred from the December 17, 2025 Planning and Zoning Board meeting in order to allow the Applicants time to schedule an additional public participation meeting. The Application requests vacation of a portion of Coconut Drive.

The public participation meeting was held both via Zoom and in person. There were 22 participants via Zoom and one in-person attendee. The meeting provided an overview of the vacation request and answered questions about the site, its zoning, and the Application, which are reflected in the Board members’ backup materials. Ms. Crush advised that the properties are not eligible for rezoning due to their land use designation.

Ms. Crush explained that a portion of Coconut Drive dead-ends at private property; the right-of-way does not extend beyond this to the waterline or any other right-of-way. The three properties located at 900, 905, and 910 Coconut Drive are owned by the Applicants. The subject property is zoned RD-15, which permits multi-family townhome units. Waterfront parcels in the Tarpon River neighborhood north of the subject area are zoned RS-8, or residential single-family.

The criteria for right-of-way vacation include:

- Right-of-way is no longer necessary for public purpose: as the right-of-way dead-ends at private property, there is no public purpose
- All utilities within the right-of-way have been or will be relocated: a condition of approval will allow the City to retain a public utilities easement

Mr. DelaTorres recalled that when the Application was first discussed in December 2025, the key issue was whether or not the neighborhood's concerns were addressed. Ms. Crush confirmed that the public participation meeting was held on January 5, 2026. Updated notice was sent to all property owners within 300 ft. of the subject property, and the Tarpon River Civic Association sent notice to its full mailing list. Questions asked at the meeting addressed the history of the subject property's plat, use of dedicated roadways as thoroughfares, any planned redevelopment, changes to the existing boat dockage, placement of trash bins on Coconut Drive, landscape material, parking at a nearby City park, and next steps for the Application.

At this time Chair McTigue opened the public hearing.

Ann McHorney, private citizen, advised that she is a property owner on Coconut Drive, and expressed concern with visibility of the waterway if the right-of-way vacation is granted. She added that all or most of the participants in the public participation meeting objected to the Application, pointing out that residents, including children throughout the neighborhood, walk on the subject street.

Peter Ide, co-Applicant, stated that he and his family are longtime residents of the subject property, and noted that cameras were installed there to discourage crime. He asserted that no one plans to further develop the property.

Kevin Schofield, private citizen, confirmed that there was significant attendance at the recent public participation meeting and that most of the attendees were not in favor of the vacation request. He stated that the commercial nature of the subject property's use has resulted in more intense non-residential traffic to the neighborhood, and some boats docked at the property are commercial vessels. He concluded that granting the right-of-way vacation would intensify commercial activity, and requested a means to ensure that the property's zoning could not be changed.

Mr. Buckley asked if the neighborhood association took a vote on the Application at the public meeting. Mr. Schofield replied there was no vote.

Mr. Buckley also pointed out that rezoning the subject property would conflict with its designation under the Broward County Land Use Plan. Mr. Schofield confirmed that he was aware of this, but reiterated his concern with the possibility of rezoning.

Mr. DelaTorres observed that if the vacation is granted, the traffic would not stop accessing the subject area. Mr. Schofield clarified that his concern also applied to a greenhouse structure owned by the Applicants, which they felt could be replaced with another commercial structure to service maritime clients. He acknowledged that cars would continue to access the property.

Mr. Schofield recalled that at the December 2025 meeting, the Applicants had expressed concern for the safety of their children from traffic in the neighborhood. He pointed out that this was at odds with the traffic accessing the area for commercial use.

Mr. DelaTorres asked if Mr. Schofield would prefer cars in the area to park along the swale on 9 Street as an alternative. Mr. Schofield reiterated that his concern was for increased activity and traffic at the site.

David Ide, co-Applicant, stated that his primary reason for requesting the right-of-way vacation was to alleviate concerns with traffic using the dead end on Coconut Drive.

Lindsey Way, co-Applicant, advised that she saw no issue with the requested vacation.

Sally Alshouse, private citizen, cautioned that the Application would privatize the dead end and provide the Applicants with a valuable public street at no cost. She also expressed concern with the property's potential for development, which would increase traffic and noise to the subject neighborhood, and recalled that in September 2025, the Board had denied a similar request on SW 6 Avenue.

Abbe Kanner, private citizen, stated that she is a resident of the Tarpon River neighborhood. She advised that there is significant traffic in and through the neighborhood, and expressed concern with the fairness of ceding City property to private owners.

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. Crush reviewed the City's standards for right-of-way vacation, stating that there is no reason to access the dead end at private property; nor was it necessary for future use as a thoroughfare. She reiterated that the site's land use caps its potential density at 16 units per acre under both the City and County Land Use Plans, and its zoning allows multi-family townhomes.

The Board members further discussed the Application, with Mr. Lalwani asking if a gate could be placed at the subject location, or if the retention of a utility easement would prevent this. It was clarified that the easement would prevent any obstruction to utility access.

Mr. Spence asked if commercial businesses are allowed through the subject property to access docks. Ms. Crush explained that commercial businesses own some of the boats docked at the Applicants' property, but do not operate from those docks.

Mr. Buckley commented that any placement of a gate would need to be worked through with the City to ensure that emergency access and other requirements are met.

Mr. Ganon observed that the proposed vacation would not constitute a large percentage of the subject lot, and would not allow room for significant development or change.

Mr. DelaTorres stated that the key element in his decision on the Application was the provision of a public utility easement. He pointed out that this easement limits the development of the subject area, concluding that the right-of-way vacation allows the Applicants more control over their properties.

**Motion** made by Mr. Dutton, seconded by Mr. DelaTorres, to recommend approval of Case Number UDP-V21002 based on the following findings of fact and the City Staff Report and/or based on the testimony heard by the Applicant, and the Board hereby finds that the Application meets the applicable criteria of the ULDR cited in the Staff Report; if conditions, state the Board's recommended approval of the Application is subject to all the conditions included in the Staff Report and state any other applicable conditions. In a roll call vote, the **motion** passed 7-1 (Mr. Spence dissenting).

**2. CASE:** UDP-S25001

**REQUEST:** \*\* Site Plan Level III: Conditional Use for Building Height above 150 Feet, Waterway Use, and Yard Modification Request for 36-unit Multifamily Development

**APPLICANT:** One on One Harbor Beach, Inc.

**AGENT:** Jason Crush, Crush Law, P.A.

**PROJECT NAME:** Harbor Beach Residences

**ADDRESS:** 3043 and 3049 Harbor Drive

**ABBREVIATED LEGAL DESCRIPTION:** Ocean Harbor 26-39 B Lot 6 and Ocean Harbor 26-39 B Lot 5

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

**LAND USE:** High Residential

**COMMISSION DISTRICT:** 4 – Ben Sorensen

**NEIGHBORHOOD ASSOCIATION:** Harbor Drive Association

**CASE PLANNER:** Adam Schnell

This Item was deferred at the request of the Applicant.

**3. CASE:** UDP-S24074

**REQUEST:** \*\* Site Plan Level III Review: Conditional Use for a Surface Parking Lot in the Central Beach Regional Activity Center

**APPLICANT:** 2933 Poinsettia Street, LLC.

**AGENT:** Nectaria Chakas, Lochrie and Chakas, P.A.

**PROJECT NAME:** Cortez Parking Lot

**ADDRESS:** 2926 Cortez Street

**ABBREVIATED LEGAL DESCRIPTION:** Lauder Del Mar Lot 9, Blk 1. Las Olas by the Sea Reamen Plat  
**ZONING DISTRICT:** Planned Resort Development (PRD)  
**LAND USE:** Central Beach Regional Activity Center  
**COMMISSION DISTRICT:** 2 – Steven Glassman  
**NEIGHBORHOOD ASSOCIATION:** Central Beach Alliance  
**CASE PLANNER:** Michael Ferrera

Disclosures were made at this time.

Nectaria Chakas, representing the Applicant, explained that the request is for Site Plan Level III approval of a surface parking lot, which is a conditional use in the Planned Resort Development (PRD) zoning district within the Central Beach Regional Activity Center. The subject property is approximately one half-acre in size and has been vacant for several years.

The proposal is to improve the property with a surface parking lot and no buildings. Ms. Chakas reviewed the surrounding parcels, advising that the Application has been presented to the Central Beach Alliance, which was in favor of it. The site will be improved with landscaping as well as parking. It will be a privately owned public parking area with 43 spaces, access from the north and south as approved by the Florida Department of Transportation (FDOT), Broward County, and the City of Fort Lauderdale.

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.

Chair McTigue noted that the Central Beach Alliance had also provided a letter to the Board.

**Motion** made by Mr. DelaTorres, seconded by Mr. Lalwani, that we have a Site Plan Level III Application, Case UDP-S24074, a motion to approve, and I move to adopt the Resolution for Site Plan Level III on this Case Number UDP-S24074 based on the following findings of fact, and the Board hereby finds that the Application meets the standards and requirements of the ULDR and criteria for proposed use as cited in the Resolution; approval of the Application is subject to all the conditions included in the City Staff Report and should be accepted accordingly.

Assistant City Attorney III Shaun Amarnani read the following 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 a surface parking lot in the Central Beach Regional Activity Center for the property located at 2926 Cortez Street and 2933 Poinsettia Street, Fort Lauderdale, Florida, in the Planned Resort Development (PRD) district, Case Number UDP-S24074; providing for conflicts, providing for severability, and providing for an effective date.

In a roll call vote, the **motion** passed 8-0.

The Board determined by consensus that Items 4 and 5 would be presented together and voted upon separately.

- 4. CASE:** UDP-L24003  
**REQUEST:** \* Amend City of Fort Lauderdale's Comprehensive Plan, Future Land Use Map from Low Medium Residential and Medium Residential to Commercial  
**APPLICANT:** RPL Land LLC.  
**AGENT:** Nectaria Chakas, Lochrie & Chakas, P.A.  
**ADDRESS:** 1680 NW 31 Avenue  
**ABBREVIATED LEGAL DESCRIPTION:** SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the S $\frac{1}{2}$  the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 32, Township 49 South, Range 42 East  
**LAND USE:** Low Medium Residential and Medium Residential to Commercial  
**PROPOSED LAND USE:** Commercial  
**COMMISSION DISTRICT:** 3 – Pamela Beasley-Pittman  
**NEIGHBORHOOD ASSOCIATION:** Lake Aire Palm View Homeowners Association and Golden Heights Neighborhood Association  
**CASE PLANNER:** Lorraine Tappen, AICP
- 5. CASE:** UDP-Z24009  
**REQUEST:** \* Rezoning from Residential Single Family/Low Medium Density District (RS-8) and Residential Single Family Cluster Dwellings/Medium Density District (RC-15) to Heavy Commercial/Light Industrial District (B-3)  
**APPLICANT:** RPL Land LLC.  
**AGENT:** Nectaria Chakas, Lochrie & Chakas, P.A.  
**ADDRESS:** 1680 NW 31 Avenue  
**ABBREVIATED LEGAL DESCRIPTION:** SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the S $\frac{1}{2}$  the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 32, Township 49 South, Range 42 East  
**ZONING DISTRICT:** Residential Single Family/Low Medium Density District (RS-8) and Residential Single Family Cluster Dwellings/Medium Density District (RC-15)  
**PROPOSED ZONING:** Heavy Commercial/Light Industrial District (B-3)  
**LAND USE:** Low Medium Residential and Medium Residential  
**PROPOSED LAND USE:** Commercial  
**COMMISSION DISTRICT:** 3 – Pamela Beasley-Pittman  
**NEIGHBORHOOD ASSOCIATION:** Lake Aire Palm View Homeowners Association and Golden Heights Neighborhood Association  
**CASE PLANNER:** Lorraine Tappen, AICP

Disclosures were made at this time.

Robert Lochrie, representing the Applicant of Items 4 and 5, stated that the two requests are for a Land Use Plan Amendment which would change the land use designation of a portion of the subject property from Low Medium and Medium Residential to Commercial, as well as

rezoning that portion from RS-8 and RC-15 to B-3. A Land Use Plan Amendment will also be processed at the County level.

Mr. Lochrie characterized tonight's proposals as the first steps in a lengthy process, explaining that the proposed rezoning must go before both the City and County Commissions as well as the state of Florida for approval. Other necessary processes include plat review at the City and County levels as well as the City's Site Plan process. A text amendment will also be brought forward at a later date.

Mr. Lochrie explained that in addition to the zoning and land use processes, the parcel is also subject to environmental regulations which are already in place. Environmental permits are already being processed for the property.

The area cited in the Land Use Plan Amendment consists of an upland portion on the western side of the site as well as a lakefront area on the east side. Mr. Lochrie reviewed the uses and zoning districts surrounding the site as well as its history, recalling that it was excavated in the 1950s but not developed. Permits were issued for remediation of environmental issues in 2024. The current permit will allow the entire site to be filled as part of the remediation process.

Mr. Lochrie continued that the proposal before the Board tonight suggests changing the site's land use and zoning to categories that are consistent with surrounding properties. These include residential development to the north, where buffering will be required to separate that area from commercial uses.

The proposal is to develop four buildings on the subject site for a warehouse distribution center, which is not expected to produce significant traffic. While the current plan would fill in the entire lake, the Application instead proposes to amend that plan to develop the site's northeast corner. This change was proposed after hearing input from neighbors of the site. Mr. Lochrie described the plan as continually evolving.

Mr. Lochrie continued that all interior commercial activity would be inward on the site itself or facing the south portion of the site. No truck bays or traffic would face the nearby residential areas. He reviewed visuals of the proposed site and the buildings' architecture, including a screening wall and landscaping.

The environmental review process for the site has already begun with the involvement of the state and County. Mr. Lochrie advised that the existing area includes streets that have historically drained into a rock bed without legal access. The Applicants have reopened these pipes to assist with drainage. Both the City and County require that new outfalls be provided from the residential neighborhoods to the northeast, northwest, and southwest so they will legally drain into the rock bed. Calculations for the lakefront area show that this additional water intake can be absorbed.

Mr. Lochrie concluded that the Applicant agrees with the conclusions reflected in the Staff Report.

Mr. Donaldson observed that if the project does not move forward, the area will be filled in and no plans for water movement will be included, which could lead to flooding in the adjacent neighborhoods. Mr. Lochrie advised that the Applicant plans to create waterways and has secured permits to provide for the filling-in of the area.

Chair McTigue asked if the area could be developed for residential use instead of commercial. Mr. Lochrie explained that there are no direct neighborhood connections to the adjacent residential developments. Access to the area would be provided from 31 Avenue, which the Applicant does not feel is the best approach. Due to the project's adjacency to the Wingate property, environmental issues have been raised. Cleanup efforts have affected the entire neighborhood as well as the subject site, and residential development there would be challenging.

Mr. Lochrie concluded that of all potential uses on the site, the Applicant's proposal would not have a significant impact on traffic and would create jobs.

Mr. Buckley requested information on the position of the City and County Commissioners in whose district the site is located. Mr. Lochrie replied that he could not speak to their plans due to the quasi-judicial nature of the process; however, he recalled that from the early 1950s through the late 1970s, a municipal incinerator was located on an adjacent site, while an industrial waste site was located to the south. These were burned, with some runoff entering the lake. This has led to significant review after the closure of the facility in 1978, as it did not meet minimum federal emissions standards. The site was then vacant until 2002, at which time the Environmental Protection Agency (EPA) and the City cleaned the area.

Mr. Lochrie continued that the Applicant is now overseeing cleanup of their property and will remain in contact with elected officials leading up to quasi-judicial hearings at the Commission level. While cleanup of the Wingate property was completed in 2002, monitoring of the property is ongoing.

Mr. Spence asked for more information on the uses that would be appropriate for the site, such as industrial and commercial uses. Mr. Lochrie explained that the proposed Site Plan includes buffers around the area to prevent direct impacts of the proposed use, including traffic, on the surrounding neighborhoods. The use does not generate significant noise.

At this time Chair McTigue opened the public hearing.

Leann Barber, private citizen, stated that she is a resident of an unincorporated area of Broward County south of the subject area. She emphasized that residents of this area have been left out of the planning process because the property is located within City boundaries. She asserted that residents of the subject neighborhood are hearing information about the process for the first time at tonight's meeting.

Ms. Barber requested that the Applicant be required to attend a civic association meeting, speak with residents about the proposed project, and allow them time to respond. She also requested that County environmental entities come to civic association meetings as well to

present their findings, as residents are concerned that the project may have a significant environmental impact on their properties.

Mr. DelaTorres asked if the residents were concerned with the proposed rezoning or the possibility of contamination. Ms. Barber clarified that both of these are concerns, reiterating that residents of the neighborhood have not been provided with opportunities for public input, nor have they been informed about the project. She advised that they would like to see traffic analysis as well as information on environmental remediation.

Walter Haynie, private citizen, stated that he is a longtime resident of the subject area. He advised that he wants the best for this community, and expressed concern with nearby residents' health issues, flooding, and quality of life. He was in favor of the proposed rezoning if it would improve these issues for the community and suggested that the neighborhood work with the Applicant to address these concerns.

Robert Woods, private citizen, advised that he lives near the northeast corner of the subject property. He expressed concern with noise, environmental issues, and upkeep of the site, stating that he was uncomfortable with the current situation. He was also concerned with his property value and the view of the lake from his home.

Mr. Ganon asked if Mr. Woods had heard concerns from his neighbors regarding possible environmental issues before the development was proposed. Mr. Woods replied that these concerns have been expressed more recently.

Mr. DelaTorres noted that the lake is manmade and asked if stagnant water has contributed to environmental concerns. Mr. Woods replied that he has seen wildlife in the lake water and hoped to see the area properly maintained. He emphasized the importance of peace and quiet, which would be disturbed by construction.

Mr. Donaldson asked if Mr. Woods would be in favor of a residential development rather than a commercial one. Mr. Woods replied that his concern was primarily with drainage issues in the neighborhood.

Sharon Alexander, president of the Golden Heights Homeowners Association, explained that a portion of this neighborhood is located on the lake. All of its drainage and stormwater go into the lake. She pointed out that the City or County was required to issue permits for that drainage and expressed concern that the drainage had been referred to as illegal. She was also concerned with flooding in the neighborhood.

Ms. Alexander also addressed the proposed rezoning, stating that it would change the community into an industrial park. She emphasized the importance of maintaining the surrounding community for its residents and requested that the Board deny the rezoning request.

Mr. Lalwani asked if it would be better or worse for the lake to be filled in if another severe flood event occurred. Ms. Alexander asserted that the area will flood even if the lake is filled in.

Mr. DelaTorres observed that the land in the subject area is contaminated, which leads to contamination of the lake when water flows into it from that land. Ms. Alexander reiterated that there will be flooding even if the lake is filled in, and contaminants would be carried from Golden Heights to the lake and then to nearby communities.

Ms. Alexander also noted that existing commercial properties surrounding her neighborhood are not beneficial to that community, and further commercial development may bring new environmental and traffic concerns with it. She was not in favor of the proposed rezoning at this time.

Urban Design and Planning Manager Jim Hetzel explained that Case Number UDP-L24003 proposes a Land Use Amendment, which would be sent to the City Commission for review as well as other agencies. The City does not have any environmental review of these topics, which is why they are sent to other agencies at the state and County levels. Those agencies have not yet conducted environmental review because the proposed amendment has not been transmitted to them by the City Commission.

Mr. DelaTorres requested clarification of the subject parcel's ownership. Mr. Lochrie stated that the property owner has signed the Application, as required by the City. The property owner is selling the property to a contract purchaser. The current zoning of the property would allow construction of single-family residential homes by right.

Mr. DelaTorres expressed concern that residents of the area had indicated they were not notified of the proposed plans for the site. Mr. Lochrie replied that the Applicant and their team had had several interactions with neighborhood associations in the area. The filling-in of the lake was permitted by both the state of Florida and Broward County in 2023. This permitting also specified how the filling-in must be done.

Lynda Patrick, president of the Lake Aire Civic Association, stated that she agreed with Ms. Alexander's comments. She emphasized concerns with flooding, health issues, and water and air quality in the area. She was not in favor of rezoning the property for commercial use.

Sikita Grant, private citizen, stated that she lives in the Roosevelt Gardens neighborhood. She expressed concerns for the health of neighborhood residents, as well as with toxins from the nearby landfill, traffic throughout the area, and contamination related to drainage issues. She requested clarification of the appropriate party who can address recurrent flooding in the neighborhood.

J.R. Patrick, private citizen, stated that soil and water from the dumping site are contaminated and expressed concern for the health of residents. He felt the neighborhood has been overlooked and was not in favor of building at the subject property.

Robbie Hicks, private citizen, advised that the neighborhood is already negatively affected by construction noise and equipment, which she felt would be worsened by development at the subject property. She requested that the Board act on behalf of the residents of the area.

Emmanuel Joseph, president of the Roosevelt Gardens Civic Association, explained that this community is located to the south of the proposed development. He expressed concern with the lack of transparency between the City, the County, and residents of the area in terms of development. He emphasized the need for residents to be involved in any further development, and recommended air, soil, water, and other environmental testing of the area. He concluded that residents' concerns are not being heard.

Mr. Buckley advised that the Planning and Zoning Board does not have oversight of environmental issues or testing and noted that there will be many more public hearings on the proposed project going forward so residents can share their concerns and get answers. Mr. Joseph stated that residents are often not informed of these meetings.

April Young, vice president of the Lake Aire Civic Association, emphasized the importance of communication, and reviewed the history of the subject area dating back to 1951, including health issues faced by neighborhood residents. She concluded that there is little accountability to residents at the City or County level.

Ann Gibbs, private citizen, stated that she lives in the Golden Heights neighborhood. She reviewed drainage in the area, which directly affects residents and their homes. She expressed concern with the effects of construction and traffic related to the proposed project.

Eddie Pierce, private citizen, stated that he is a resident of the Roosevelt Gardens neighborhood. He pointed out that this community has not been involved in any discussions or deliberations related to the proposed project and advised that outreach to City officials has not shown results. In addition to environmental issues, he was concerned with how traffic on 31 Avenue would be affected by 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.

Mr. Lochrie explained that environmental data collection and analysis are important phases of the project. He clarified that tonight's hearing is an early step in the process, but will not convey approval for the project; if the Board votes to move the Item forward, it will be transmitted to the City Commission and then to state agencies.

Mr. Lochrie continued that a traffic study is included in the Applicant's documents and can be viewed on the City's website, along with early environmental reports. Once the Item is transmitted, the City's traffic engineers will review it, as will FDOT and Broward County. He added that there will also be multiple City and County Commission meetings at which the proposed project will be discussed.

Mr. Lochrie concluded that the Applicant can make a presentation to the Roosevelt Gardens Civic Association if they wish. Notice of tonight's meeting was sent to individuals within a 300 ft. radius of the subject property. He emphasized that meetings will be ongoing.

Mr. DelaTorres suggested that Mr. Lochrie contact some of the individuals who shared their concerns at tonight's meeting so they are better informed about the project. He observed that

while the Applicant may have fulfilled their requirement for public outreach, it may not have been sufficient to the affected residents. Mr. Lochrie indicated that the Applicant would reach out to the individuals who spoke at tonight's meeting if the City can make their contact information available. He provided additional information on how to access the Application via the City's website, concluding that environmental reports are prepared quarterly and provided to Broward County.

Mr. Dutton asked if Mr. Lochrie was directly involved in the permitting process for the filling in of the lake. Mr. Lochrie clarified that all activity on the site thus far has been undertaken by the current property owner; the Applicant does not have control over these activities. He added that the Applicant's team will communicate some of the residents' concerns to the current owner, including issues related to upkeep of the site.

Mr. Donaldson emphasized the importance of hearing from parties who may be able to speak to the residents' concerns regarding the lake, as this information did not seem to have been shared with them before now. Mr. DelaTorres added that the Board would not be able to vote on the Item unless they understood where the property currently stands as well as what may happen to it in the future and how it will affect residents. He requested information on contamination in the subject area, how permits can address remediation of the contamination, and plans for future drainage.

Michael Carr, engineer for the Applicant, addressed the filling in of the lake, which was permitted in 2023. He explained that the subject property is affected by contamination from a neighboring property. The current plan is to fill in the lake and address contamination by capping the sediments at its bottom. This plan has been permitted by Broward County and other agencies rather than by Fort Lauderdale.

Mr. Carr continued that if the Board recommends transmission of the Application, the Applicant's team will continue discussions with City, County, and state officials on how to address stormwater issues. All locations that drain into the lake from the surrounding area have been identified. This information will also be reviewed by numerous agencies to ensure that the drainage system meets standards.

Mr. DelaTorres clarified that the only activity currently occurring on the property is containment of contamination on the site, in accordance with regulatory standards, to ensure it does not spread further. If the Board recommends that the project move forward, the Applicant would develop plans in conjunction with regulatory agencies. If they do not recommend advancement of the project, the Applicant will finish their current work but further action will not be taken by them on the site.

Mr. Donaldson asked if the 2023 permit addresses drainage. It was clarified that drainage was not included in the permit. It was clarified that the City is not involved in activity related to the permit, as the permit was issued by the County. He concluded that he was supportive of advancing the Application so the City and County Commissions would be involved in the process.

Mr. Hetzel explained that drainage is one of the components of the Application. If it is transmitted to the City Commission, they will then transmit it in turn to County and state agencies for further review. The Land Use Plan Amendment Application addresses drainage, traffic, and other components with which residents had expressed concern. If the Board and the Commission do not act on the Application, this review would not happen.

Mr. DelaTorres asked what would happen if the Board does not advance the Application. Mr. Hetzel advised that permitting is separate from the Land Use Plan Amendment process, reiterating that environmental permits are issued by the County; the City has no authority over the permit. If the process stops, the City will continue to have no input related to the permit.

Mr. DelaTorres asked if, should the Board not recommend the Applications, there would be other opportunities for the City to address drainage issues in the subject area. Mr. Hetzel stated that this would be a question for the Public Works Department, which oversees infrastructure. Drainage is beyond the scope of the Land Use Plan Amendment. Many of the concerns shared by residents would need to be addressed separately from the Applications that are before the Board.

Mr. Hetzel continued that one of the Applications before the Board is the Land Use Plan Amendment and the other is rezoning, each of which will need to be voted upon separately. The Land Use Plan Amendment is a recommendation to the City Commission to transmit that Application to the County and state for further review. The rezoning Application is contingent upon approval of the Land Use Plan Amendment Application, as it cannot proceed until or unless the appropriate land use is adopted.

Mr. Dutton commented that there can be public misconceptions at times regarding what the Board is asked to vote upon, and observed that he did not know how the Board might be able to help residents in the subject area if they did not move the Application forward for transmittal. Chair McTigue added that the public will have more opportunities to speak as the process moves forward.

**Motion** made by Mr. Ganon, seconded by Mr. Donaldson, to recommend approval of Case Number UDP-L24003 based on the following findings of fact and the facts of the City Staff Report and based on testimony heard by the Applicant, and the Board hereby finds the Application meets the applicable criteria in the ULDR and the Staff Report. In a roll call vote, the **motion** passed 8-0.

**Motion** made by Mr. Donaldson, seconded by Mr. Ganon, on Case Number UDP-Z24009, make the motion to recommend approval based on the following findings of fact and the facts of the City Staff Report and based upon the testimony heard by us tonight, I hereby find that the Application meets the applicable criteria of the ULDR and the Staff Report, and any conditions in the Staff Report are applied to this motion. In a roll call vote, the **motion** passed 7-1 (Mr. Spence dissenting).

## V. COMMUNICATION TO THE CITY COMMISSION

Mr. Spence noted that the Board sees some applications for properties which border other municipalities and suggested that applicants be required to provide public outreach to residents of those border areas as well as residents inside the City. This could help members of the community be better informed about projects.

Mr. Hetzel advised that the City has updated its public notice policy with respect to jurisdictional control. At present, applicants are required to send notice to recognized homeowners' or civic associations within Fort Lauderdale; however, they do not provide this outreach to residents of other cities. He suggested that the Board may wish to send a communication to the City Commission related to this jurisdictional control. The Commission may then direct Staff to go back and analyze this issue further to determine if further changes should be made to the policy.

Mr. Dutton requested clarification of the City's 300 ft. rule. Mr. Hetzel explained that this rule requires notification of property owners within 300 ft. of the subject site as well as the recognized civic association in the City. If the association is outside the Fort Lauderdale boundary, it is not recognized by the City.

Mr. Spence pointed out that the civic associations for some neighborhoods affected by the project proposed in Items 4 and 5 were outside the City, and he wished to make a motion that would prevent this from happening again.

Mr. Hetzel added that the Land Use Plan Amendment and rezoning applications the Board saw tonight were also noticed in the local newspaper. Other types of applications, such as Site Plan Level III review, do not have a newspaper notice requirement. He reiterated that the Board may ask the Commission to direct Staff to look into this issue and determine what other options are available.

Mr. DelaTorres requested more information on notice posted directly on properties. Mr. Hetzel explained that applications for both rezoning and Land Use Plan Amendments require the posting of these signs.

The Board members discussed the notice radius, including the suggestion that parcels over a certain size might need an expanded notice radius. Mr. Hetzel recommended that any communication sent by the Board request that Staff research potential updated parameters for public notice, possibly including parcel size as one such parameter.

**Motion** made by Mr. Spence, seconded by Mr. Donaldson, to send a communication to the City Commission from the Planning and Zoning Board to have Staff conduct research on public notice requirements based on possible size, context, and location of the property. In a roll call vote, the **motion** passed 8-0.

## **VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE**

There being no further business to come before the Board at this time, the meeting was adjourned at 9:15 p.m.

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

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Chair

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Prototype

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