



**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.

~~applicable in this case, and there is sufficient capacity for both, with adequacy letters included in the backup materials~~

- ~~• Adequate public parking within 700 ft. of the property: the restaurant is located on Las Olas Boulevard, which has multiple parking facilities as well as parallel parking; nine extra spaces would be required, and there is often more than enough parking, even at peak hours~~
- ~~• Compatibility with the surrounding area: the Applicant held two public participation meetings, one with the Golee Hammock Civic Association in September 2023 and the second in January 2024, which included mailings to all properties within 300 ft.; the Civic Association's board unanimously supported the project, and there were no attendees at the January meeting~~

~~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.~~

~~Vice Chair Cohen commented that while he was normally not in favor of parking reductions, he did not feel the requested reduction would negatively affect the restaurant. Ms. McCartney agreed, and pointed out that if the Board regularly sees requests such as this one, there is something wrong with existing Code.~~

~~**Motion** made by Mr. Shechtman to adopt a Resolution approving a Site Plan Level III, Case Number UDP-S23052, based on the following findings of fact: that it meets the criteria of the ULDR and the Board hereby finds that it meets the standards and requirements of the ULDR and criteria for the proposed use as cited in the Resolution; if there are any conditions, those are also included as part of this approval.~~

~~Attorney Wallen noted that the Staff Report includes one condition of approval. Mr. Shechtman confirmed that he adopted this condition, as well as the findings of fact in the Staff Report.~~

~~Ms. Mammano **seconded** the **motion**. In a roll call vote, the **motion** passed unanimously (8-0).~~

8. CASE: UDP-T24004

REQUEST: * Recommend Adoption of the City of Fort Lauderdale
Redevelopment Units Policy

GENERAL LOCATION: City-Wide

CASE PLANNER: Nancy Garcia

~~Ms. Garcia of Urban Design and Planning showed a presentation on the Item, which lays out the City's plan to request redevelopment units from Broward County, pursuant to the redevelopment policy in the Broward County Land Use Plan. Policy 2.35.1 was introduced in 2017 and allows Broward County municipalities to apply for these units in the event that flex units expire or are no longer available.~~

Flex units are residential entitlements which were allotted through the Broward County Land Use Plan. Each respective municipality is entitled to a particular number of units. The City adopted a unified flex policy and map in 2018; however, at present there are no longer flex units available. The intent is for redevelopment units to serve as a tool to address the City's residential growth.

One requirement of application for redevelopment units is that the City must have fewer than 250 flex units remaining. Fort Lauderdale meets this qualification. The Policy permits the City to apply for 500 units at a time. This is the City's first request.

The application criteria for redevelopment units are as follows:

- The municipality has fewer than 250 flex units available
- The City must establish a receiving area for the units
- The municipality must demonstrate sufficient capacity for public facilities, such as sewer and water, and must show how the municipality addresses school concurrency
- The municipality must show how affordable housing is implemented
- The municipality must show how land use compatibility is demonstrated
- The municipality must show how sea level rise is addressed in priority planning areas

With regard to the receiving area, the area to which flex units are allocated is the same area to which redevelopment units will be allocated. The flex map typically encompasses major transit corridors, such as North Federal Highway, Sunrise Boulevard, Commercial Boulevard, and Oakland Park Boulevard, as well as most of the City's Regional Activity Centers (RACs).

The City's Comprehensive Plan includes an element addressing sea level rise in priority planning areas. This is included as an Exhibit in the Staff Report. Land use compatibility is typically reviewed during Site Plan review.

The City plans to implement its redevelopment policy in two ways, one of which is the transfer of development rights. At present, there is no plan for transfer of development rights to another property, particularly for the sale or preservation of historic buildings. Redevelopment units would be one way to implement this transfer.

Ms. Garcia explained that the primary way development rights could be implemented would be for smaller infill projects. Any project eligible to request redevelopment units would be limited to 50 units, which would prevent a single project from using the entire allotment of units.

Another way to implement the redevelopment unit policy would be that projects which do not qualify for other policies, such as affordable housing which does not abut specified

roadways or occur on certain land uses, would not be able to use flex or redevelopment units.

Ms. Garcia showed a map of the City's existing flex unit area, which would serve as the receiving area for redevelopment units. This area includes major transit corridors as well as RACs.

The City has met with the Harbordale Civic Association and the Council of Fort Lauderdale Civic Associations. After the Planning and Zoning Board makes its recommendation on this Item, Staff would be required to present the request to the City Commission, the Broward County Planning Council, and the Broward County Board of County Commissioners.

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 addressed the unified flex map, requesting clarification of whether the flex area crosses 17th Street to Pier 66. Ms. Garcia explained that the Policy does not allow the allocation of any redevelopment units east of the Intracoastal Waterway or on the barrier island.

Ms. Mammano also expressed concern with infill requirements, asking if a total project can only be allocated 50 units or can only request 50 units. Ms. Garcia clarified that projects may request no more than 50 redevelopment units. Urban Design and Planning Manager Ella Parker explained that the criteria are intended to accommodate smaller infill projects with a maximum of 50 units per acre. She offered the example of a project south of 17th Street with an underlying land use of Employment Center but with RMM-25 zoning. With no flex units available in that area, there is no opportunity to redevelop. The redevelopment unit policy would provide them with the opportunity to redevelop and would allow a transfer of development rights in order to preserve historic buildings.

Ms. Mammano explained that her concern was not to incentivize additional density in the City. Ms. Parker advised that in the example she had provided, RMM-25 zoning permits 25 units per acre, which could not exceed that density.

Ms. Mammano asked if development projects on 17th Street would be able to request an additional 50 market-rate units from the pool of redevelopment units. She pointed out that the policy is not limited to small projects of fewer than 50 units, but limits only the number of units which can be allocated. Ms. Parker confirmed that it can be clarified that the policy would only apply to smaller infill projects. Ms. Mammano concluded that she could support the policy if it clarifies that the developments which will receive redevelopment units may receive no more than 50 units.

Ms. Fertig asked how many flex units were originally allocated to the City. Ms. Garcia stated that she did not have an exact number on hand. Ms. Parker added that many of these units were allocated to the Downtown area, which decreased the pool of units available to the rest of the City.

Ms. Fertig requested that any motion made on this Item include a qualification that no units can be allocated to the barrier island, and that the allocations of units are capped at 50.

Mr. Barranco asked how often requests may be made for 50-unit (or fewer) allocations. Ms. Garcia replied that when redevelopment units decrease to less than 10%, another 500 units can be requested by the City.

Mr. Barranco also asked if there has been any discussion of tying requests for these units to affordable housing. Ms. Garcia confirmed that this is a separate discussion from affordability. She added that the policy will apply primarily to projects that would not be likely or able to take advantage of affordable housing incentives.

Mr. Barranco explained that his concern was for developers who might be willing to build some affordable units in order to take advantage of the policy. Ms. Garcia advised that the intent is to keep this policy separate from affordable housing policy. Ms. Parker added that the City still has a pool of affordable units.

Mr. Barranco also referred to historic transfer rights, requesting clarification that that policy would not work without the new policy. Ms. Parker explained that transfer rights policy requires that there be units to offset a request. Development rights for historic buildings would be affected by their underlying land use.

Motion made by Ms. Mammano to recommend approval of Case Number UDP-T24004, and the Board hereby finds that the text amendments to the ULDR are consistent with the Comprehensive Plan, that none of these redevelopment units will be available to developments on the barrier island and none of the projects that are eligible to receive these redevelopment units will exceed a total of 50 units.

Attorney Wallen recommended that the **motion** also note that no projects east of the Intracoastal Waterway will be eligible to receive the units, and that none of the receiving sites shall be located east of the Intracoastal Waterway. Ms. Mammano accepted this **addition** to her **motion**.

Ms. Mammano also added the following to her **motion**: that none of the projects that are eligible to receive these redevelopment units will exceed a total of 50 units.

It was clarified that the **addition** to the **motion** would limit the total project to 50 units.

Mr. Shechtman **seconded the motion**. In a roll call vote, the **motion** passed unanimously (8-0).

V. COMMUNICATION TO THE CITY COMMISSION

None.

VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

Ms. Fertig recalled that there have been several recent Board and community discussions regarding setbacks and the need for more grass and less concrete. She asked if the Board can discuss setbacks in greater depth in the future, as well as whether or not there is a way to accomplish RAC and Uptown rezoning without proceeding on a lot-by-lot basis.

Ms. Parker advised that the Uptown area has been discussed in the past, and that it is proceeding in a piecemeal manner is that not all property owners want to adopt new zoning. The City has offered to undertake these rezonings on their behalf, which has resulted in a parcel by parcel undertaking.

In the Northwest RAC, a Master Plan created a vision for the area; however, there was not full agreement on how to proceed for internal residential areas. The underlying land use in these areas is Regional Activity Center, which shows that the area is intended to serve a mixture of uses rather than purely residential use. She recalled that in the past, Staff has indicated that they can take another look at the Northwest area and work with the community to address industrial uses as well as neighborhood needs; however, the vision established and codified for the RAC respects residential borders and requires transition zones. Landscape and stepback requirements exist within the residential areas, and non-residential corridors must transition down to residential neighborhoods.

Ms. Parker concluded that it took significant time to build consensus on how to proceed in these areas; however, there was consensus for what was eventually adopted.

Ms. Fertig explained that her concern was that the Uptown is being handled in one way by the City; however, she felt there were questions of equity regarding how the Central City RAC and Northwest RACs have proceeded.


Ms. Parker advised that the makeup of the areas in question have affected how changes have proceeded, as some property owners have been more willing to come together and build consensus than others. The two areas also have different and unique patterns of development.

Vice Chair Cohen commented that when the Board discusses the Northwest RAC, they should distinguish between the area west of Progresso Village and east of 7th Avenue.

~~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.]