



CITY OF FORT LAUDERDALE

CITY OF FORT LAUDERDALE
PLANNING AND ZONING BOARD
CITY HALL – CITY COMMISSION CHAMBERS
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, JUNE 19, 2019 – 6:00 P.M.

Cumulative

Board Members	Attendance	June 2019-May 2020	
		Present	Absent
Catherine Maus, Chair	P	1	0
Mary Fertig, Vice Chair	P	1	0
John Barranco	P	1	0
Brad Cohen	A	0	1
Coleman Prewitt	P	1	0
Jacquelyn Scott	P	1	0
Jay Shechtman	P	1	0
Alan Tinter	P	1	0
Michael Weymouth	P	1	0

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

Staff

- Ella Parker, Urban Planning and Design Manager
- D'Wayne Spence, Assistant City Attorney
- Anthony Fajardo, Director, Department of Sustainable Development
- Linda Mia Franco, Urban Design and Planning
- Nick Kalargyros, Urban Design and Planning
- Randall Robinson, Urban Design and Planning
- Yvonne Redding, Urban Design and Planning
- Trisha Logan, Historic Preservation Planner
- Benjamin Restrepo, Department of Transportation and Mobility
- Jamie Opperlee, Recording Secretary, Prototype, Inc.

Communications to City Commission

Motion made by Vice Chair Fertig, seconded by Mr. Shechtman, that traffic analysis in the City is inadequate, [and that] current measurements of traffic impact should be investigated in terms of capturing opportunities in the development process to mitigate projects' impacts on the streets; and to also put additional emphasis on capturing amount of scooter and bicycle and pedestrian trips. In a roll call vote, the **motion** passed 6-2 (Mr. Tinter and Mr. Weymouth dissenting).

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Maus called the meeting to order at 6:00 p.m. and all recited the Pledge of Allegiance. The Chair introduced the Board members present, and Urban Design and Planning Manager Ella Parker introduced City Staff.

II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM

Motion made by Ms. Fertig, seconded by Ms. Scott, to approve.

The following correction was noted to the minutes:

- P.5, paragraph 1, the reference should be to parking under the bridge rather than over

In a voice vote, the **motion** passed unanimously (as amended).

III. ELECTION OF BOARD CHAIR / VICE-CHAIRPERSON

Motion made by Ms. Scott, seconded by Ms. Fertig, to nominate Catherine Maus. In a roll call vote, Chair Maus was unanimously re-elected.

Motion made by Ms. Scott, seconded by Mr. Barranco, to nominate Mary Fertig [for Vice Chair]. In a roll call vote, Ms. Fertig was unanimously elected Vice Chair.

IV. PUBLIC SIGN-IN / SWEARING-IN

Individuals wishing to speak on tonight's Agenda Items were sworn in at this time.

V. AGENDA ITEMS

Index

<u>Case Number</u>	<u>Applicant</u>
1. R18025**	KT Seabreeze Atlantic, LP
2. Z19001* **	City of Fort Lauderdale Community Redevelopment Area; Sistrunk 2245, LLC; 220145, LLC; Urbana 500, LLC; and Anointed by Christ International; Christian Center Inc.
3. V19002**	City of Fort Lauderdale Community Redevelopment Area; Sistrunk 2245, LLC; 220145, LLC; Urbana 500, LLC; and Anointed by Christ International; Christian Center Inc.
4. R19004**	City of Fort Lauderdale
5. V19004**	City of Fort Lauderdale
6. R18018**	Paul Kissinger EDSA, agent on behalf of the City of Fort Lauderdale
7. Z19002* **	Brady Family Investments, LLC
8. T19009	City of Fort Lauderdale
9. T19010	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.

Stephanie Toothaker, representing the Applicant of Item 1, requested that this Item be deferred for six months so the Applicant has additional time in which to address neighbors' concerns and revise the Site Plan accordingly. This Item would be deferred to the December 18, 2019 meeting.

Motion made by Vice Chair Fertig, seconded by Mr. Shechtman, for the deferral. In a voice vote, the **motion** passed unanimously.

Ms. Parker noted that the Applicant of Item 7 has requested deferral to the July 17, 2019 meeting. The Board approved the deferral by unanimous consensus.

Deferral was requested until August 21, 2019 for Item 8. The Board approved the deferral by unanimous consensus.

It was requested that Items 2 and 3 be presented together and voted upon separately. The Board agreed to this request by unanimous consensus.

2. CASE:	Z19001
REQUEST: * **	Rezoning From Residential Multifamily Mid Rise/ Medium High Density (RMM-25) to Northwest Regional Activity Center - Mixed Use west (NWRAC-MUw)
APPLICANT:	City of Fort Lauderdale Community Redevelopment Area; Sistrunk 2245, LLC; 220145, LLC; Urbano 500, LLC; and Anointed By Christ International; Christian Center Inc.
PROJECT NAME:	West Village
GENERAL LOCATION:	South of NW 6th Street, west of NW 7th Avenue, north of NW 5th Street and east of NW 8th Avenue
ABBREVIATED LEGAL DESCRIPTION:	North Lauderdale 1-48 D Lots 27 Thru 47 Block 14
EXISTING ZONING:	Residential Multifamily Mid Rise/ Medium High Density (RMM-25)
PROPOSED	Northwest Regional Activity Center - Mixed Use west (NWRAC-

ZONING: MUw)
LAND USE: Northwest Regional Activity Center (NW-RAC)
COMMISSION DISTRICT: 3 - Robert L. McKinzie
CASE PLANNER: Yvonne Redding

3. CASE: V19002
REQUEST: ** Vacation of Right-of-Way
APPLICANT: City of Fort Lauderdale Community Redevelopment Area; Sistrunk 2245, LLC; 220145, LLC; Urbano 500, LLC; and Anointed By Christ International; Christian Center Inc.
PROJECT NAME: West Village Right-of-Way Vacation
GENERAL LOCATION: North/South Right-of-Way between NW 5th Street and NW 6th Street
ABBREVIATED LEGAL DESCRIPTION: That certain 15.00 foot wide alley in Block 14, North Lauderdale, according to the plat thereof as recorded in Plat Book 1, Page 48, of the public records of Dade County, Florida. Less the north 16.30 feet thereof. Said lands lying in the City of Fort Lauderdale, Broward County, Florida, and containing 9,506 square feet (0.218 acres) more or less.
ZONING DISTRICT: Northwest Regional Activity Center - Mixed Use west (NWRAC-MUw) and Residential Multifamily Mid Rise/ Medium High Density (RMM-25)
LAND USE: Northwest Regional Activity Center (NW-RAC)
COMMISSION DISTRICT: 3 - Robert L. McKinzie
CASE PLANNER: Linda Mia Franco, AICP

Disclosures for Items 2 and 3 were heard at this time.

Peter Flotz, representing the Applicant, introduced the rezoning and right-of-way vacation requests. The Applicant has assembled an entire block of property over approximately five years and plans to relocate the Anointed by Christ Church to the property when a new facility is built. The project has gone through the Development Review Committee (DRC) process and will go before the City Commission in September 2019.

Mike Vonder Muelen, also representing the Applicant, showed a PowerPoint presentation on the subject site, which consists of 34 fully owned parcels to be consolidated on 3.48 acres. The church itself was approved by the Planning and Zoning (PZ) Board in May 2019.

The requested right-of-way vacation will vacate a mid-block alley on the subject property. Criteria for vacation are as follows:

- Right-of-way or other public space is no longer needed for public purpose
- Alternate routes are available if needed
- Closure of right-of-way provides a safe area for vehicles to turn around
- Closure of right-of-way shall not adversely affect pedestrian traffic
- All public utilities within the right-of-way have been or will be relocated, pursuant to a utility relocation plan

Mr. Vonder Muelen continued that the alleyway is currently unimproved, with utility poles that will be relocated during redevelopment of the property.

Regarding the rezoning request, the subject area lies within the Northwest Regional Activity Center (RAC), with only a portion to be rezoned from RMM-25 to Northwest RAC – Mixed Use West. This will bring the entire site into a single zoning category. Rezoning criteria are as follows:

- Rezoning must be consistent with the goals, objectives, and policies of the Comprehensive Plan
- Changes anticipated by the proposed rezoning will not adversely affect the character of development in or near the area under consideration
- Character of the area is suitable for the uses permitted in the rezoned district and are compatible with surrounding districts

Mr. Vonder Muelen asserted that the project is compatible with the goals, objectives, and policies of the Comprehensive Plan, as well as with employment opportunities identified in the Northwest RAC. The Applicant took guidance from the Northwest RAC Master Plan when developing the rezoning request. This Master Plan's fundamental planning principles include residential and mixed-use development to create a dynamic urban area, architecture on a human scale with appropriate form and massing, and landscaping to enhance the streetscape experience.

Parking on the proposed site is designated to ensure that on-site movement and storage of vehicles are as imperceptible as possible and does not interfere with pedestrian pathways.

Greg Brewton, also representing the Applicant, addressed the public participation process, advised that the Applicant worked with Dickey Consulting Services on these initiatives. They met one-on-one with individual property owners in the area, and held two public participation meetings on April 11 and May 6, 2019, at the Midtown Commerce Center and at City Commissioner Robert McKinzie's District meeting, respectively.

The Applicant also reached out to the neighborhood association located directly east of the project, although this was not required by Ordinance. While this association did not

take an official vote on the project, Mr. Brewton advised that the president of that entity did not express a negative opinion of it.

A Site Plan application for this project is currently going through the DRC process, which is expected to be completed in the near future.

Motion made by Vice Chair Fertig, seconded by Mr. Barranco, to incorporate the Staff Report into the record. In a voice vote, the **motion** passed unanimously.

Mr. Tinter asked if the subject property needs to be platted. Yvonne Redding, representing Urban Design and Planning, replied that the parcels are part of the overall Progresso plat. The Board will not see the project's Site Plan for review.

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

Pamela Beasley-Pittman, president of the Historic Dorsey Riverbend Civic Association, advised that the project will be located within the boundary of this organization. Members of the association have met with the Applicant's team. While most are excited about the prospect of this project, they have concerns including the proposed rezoning. Dorsey Riverbend is considered a "front porch" community and wishes to retain this image.

Ms. Beasley-Pittman continued that members of the community are also concerned that the redevelopment not trigger further movement into the residential neighborhood, as there are additional parcels of land available for redevelopment. There are concerns with the project's height and type of buildings as well.

With regard to the right-of-way vacation, Ms. Beasley-Pittman requested clarification of ownership of the land in the alleyway to be vacated. Chair Maus advised that the alley is a City-owned right-of-way which the Applicant proposes to vacate, at which time that land would go to the Applicant, who owns or controls both sides of the street.

Ms. Beasley-Pittman continued that neighborhood residents are also concerned regarding roughly 58 trees on the Applicant's property. They hope to ensure that healthy trees are preserved on the site and used within the project, or relocated elsewhere within the community. They have spoken to the developer regarding this concern but have received no assurance on this topic thus far.

Chair Maus recommended that Ms. Beasley-Pittman address this concern directly once again with the Applicant. With respect to the character of the community, she continued that while the Board has not seen renderings of the proposed project, a graphic posted on the property shows what it would look like. She noted that if the Application is approved by the Board and goes to the City Commission, it would be best for the community to remain in touch with its planners for additional details. Chair Maus also cautioned that the Application could be considered to set a precedent if passed.

Mr. Brewton advised that the Applicant is receptive to "doing as much as possible" to retain many of the trees on the property. There is a tree mitigation process that will apply as the Site Plan application advances, and the Applicant will continue to meet with the community on this issue and work toward resolving concerns or differences.

Mr. Brewton continued that the proposed development includes town homes with front porches facing the 7th Terrace side of the property. He reiterated that the developer will work to address neighborhood concerns. While he was not certain that retention/relocation of trees could be made a condition of rezoning, he felt it could be made a condition of the upcoming Site Plan approval process.

Vice Chair Fertig pointed out that the Board cannot place a condition regarding trees on the Site Plan process, as the project's Site Plan will not come before them for approval. Assistant City Attorney D'Wayne Spence confirmed that rezoning is not conducive to a condition of this nature, although the proximity of some trees may be sufficiently close to the right-of-way to affect its vacation.

Mr. Brewton stated that he was not aware of a condition that could be suitable for attachment to either request before the Board at tonight's meeting. He reiterated that the Applicant meets regularly with the community and has committed, as part of the public record, to save trees within the community.

Ms. Scott commented that it can be frustrating for the Board to hear the public express concerns but lack the authority to address them. She also asked how the proposed project would integrate into a front porch community, and asked if the Applicant could provide some reassurance to the neighborhood regarding this aspect of the project. Mr. Brewton characterized the project's town homes as part of the transition from the project into the neighborhood, stating that the porches will face the western side of the property, where there is residential development.

Mr. Shechtman recommended that concerned members of the community attend upcoming DRC hearings, which will include public review of the project's Site Plan. With regard to relocation of the trees, he suggested that the neighborhood identify potential locations to which the trees might be moved.

As there were no other individuals wishing to speak on these Items, the Chair closed the public hearing and brought the discussion back to the Board.

Chair Maus stated that she felt any future rezoning of areas adjacent to the Northwest RAC should be done in a comprehensive and cohesive pattern rather than a manner in which properties are easily acquired. She asserted that there was no assurance of transition or buffering between the proposed project and the residential neighborhood to the west, as the Board has not seen a Site Plan; nor was she certain that the project

would have any type of connection or compatibility with the neighborhood into which it is moving.

Mr. Shechtman also expressed concern with the Board's inability to see a Site Plan for the project in conjunction with the rezoning request. He pointed out that the Board has voiced its concerns with this process in the past. Vice Chair Fertig recommended that this be further addressed before the conclusion of tonight's meeting.

Mr. Barranco noted that the underlying land use of the area supports the rezoning request, and the project is located on a commercial corridor. He also pointed out that the DRC process may require additional changes to the project. Vice Chair Fertig observed that there were no outright objections to the project stated by the public, and the Applicant's two public outreach meetings were well-attended.

Motion made by Mr. Tinter, seconded by Mr. Weymouth, to approve [Item Z19001]. In a roll call vote, the **motion** passed 6-2 (Chair Maus and Mr. Shechtman dissenting).

Motion made by Mr. Tinter, seconded by Mr. Weymouth, to approve [Item V19002] with Staff comments.

Vice Chair Fertig asked if it would be possible to include a comment regarding trees on the property in the **motion** so the DRC is aware of this concern. Mr. Tinter replied that this would be superfluous, and that Staff was aware of the Board's discussion on this topic.

Linda Mia Franco, representing Urban Design and Planning, requested clarification of whether or not the **motion** included the conditions included in the Staff Report. Mr. Tinter confirmed that the conditions were included.

In a roll call vote, the **motion** passed 6-2 (Chair Maus and Mr. Shechtman dissenting).

The Board agreed by consensus to hear Items 4 and 5 together but vote upon them separately.

4. CASE:	R19004
REQUEST: **	Site Plan Level IV Review: Public Purpose Use For 71,737 Square Foot Community Center With 5,271 Square Feet of Retail and Request for Relief for Setbacks, Landscape Buffer, and Other Dimensional Requirements
APPLICANT:	City of Fort Lauderdale
PROJECT NAME:	LA Lee YMCA Mizell Community Center
GENERAL LOCATION:	1409 NW 6th Street