



CITY OF FORT LAUDERDALE

PLANNING AND ZONING BOARD MEETING MINUTES
CITY HALL COMMISSION CHAMBERS
100 N. ANDREWS AVE., FORT LAUDERDALE, FLORIDA 33301
WEDNESDAY, OCTOBER 20, 2021 – 6:00 P.M.

Board Members	June 2021-May 2022		
	Attendance	Present	Absent
Jacquelyn Scott, Chair	P	5	0
Brad Cohen, Vice Chair	P	3	2
John Barranco	P	4	1
Mary Fertig	P	5	0
Steve Ganon	P	5	0
Shari McCartney	P	5	0
William Rotella	P	4	1
Jay Shechtman	P	4	1
Michael Weymouth	P	4	1

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

Staff

Ella Parker, Urban Design and Planning Manager
D'Wayne Spence, Assistant City Attorney
Shari Wallen, Assistant City Attorney
Jim Hetzel, Principal Planner
Trisha Logan, Historic Preservation Planner
Karlanne Grant, Urban Design and Planning
Nicholas Kalargyros, Urban Design and Planning
Yvonne Redding, Urban Design and Planning
Igor Vassiliev, Public Works Department
Jamie Opperee, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

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

II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM

Motion made by Mr. Rotella, seconded by Mr. Weymouth, to approve. In a voice vote, the **motion** passed unanimously.

3. **CASE:** UDP-Z21001
REQUEST: ** Rezoning from Residential Single Family/Low Medium Density District (RS-8) to Residential Multifamily Low Rise/Medium High Density District (RML-25) **APPLICANT:** 3303 Community Development, LLC.
GENERAL LOCATION: 3303 SW 15 Avenue
AGENT: Jeremy Shir, Esq. Becker & Poliakoff
LEGAL DESCRIPTION: A Portion of the South 100 Feet of North 106 Feet of the West 322.7 Feet of the East 372.7 Feet of Tract 36 of F.A. Barrett's Subdivision, as Recorded in Plat Book 1, Page 46, of the Public Records of Broward County Florida
ZONING DISTRICT: Residential Single Family/Low Medium Density District (RS-8)
COMMISSION DISTRICT: 4 - Ben Sorensen
NEIGHBORHOOD ASSOCIATION: Edgewood Civic Association
PROPOSED ZONING: Residential Multifamily Low Rise/Medium High Density District (RML-25)
LAND USE: Medium-High Density
CASE PLANNER: Nicholas Kalargyros

(Items #3 and #4 were heard together)

4. **CASE:** UDP-Z21002
REQUEST: ** Rezoning from Residential Single Family Duplex/Medium Density District (RD-15) to Residential Multifamily Low Rise/Medium Density District (RM-15) **APPLICANT:** 3303 Community Development, LLC.
GENERAL LOCATION: 3303 SW 15 Avenue
AGENT: Jeremy Shir, Esq. Becker & Poliakoff
LEGAL DESCRIPTION: A Portion of the South 100 Feet of North 106 Feet of the West 322.7 Feet of the East 372.7 Feet of Tract 36 of F.A. Barrett's Subdivision, as Recorded in Plat Book 1, Page 46, of the Public Records of Broward County Florida
ZONING DISTRICT: Residential Single Family Duplex/Medium Density District (RD-15)
COMMISSION DISTRICT: 4 - Ben Sorensen
NEIGHBORHOOD ASSOCIATION: Edgewood Civic Association
PROPOSED ZONING: Residential Multifamily Low Rise/Medium Density District (RM-15)
LAND USE: Medium Density
CASE PLANNER: Nicholas Kalargyros

Disclosures were made at this time.

Jeremy Shir, representing the Applicants, stated that the Applications request rezoning to support 12 townhouse units at the subject location. Although 16 units were originally planned for the site, neighborhood feedback resulted in a reduction to 12 units, all of which have three bedrooms and two baths and are roughly 1600 to 1900 sq. ft. Another major change based on neighborhood feedback is that the units will be for sale rather than for rent as initially planned.

Roughly 80% of parcels in the South Edgewood neighborhood are occupied by townhouses, duplexes, and multi-family development. The proposed project is compatible with the character of the surrounding area and meets multiple objectives of the City's Comprehensive Plan, including encouraging high-quality development, introducing aesthetically pleasing housing design elements and alternatives, encouraging energy efficiency, and encouraging the overall health, safety, and general welfare of City residents.

Mr. Shir noted that the property currently has split zoning, with the western three-quarters zoned RS-8. This is incompatible with the Future Land Use designation of medium- to high density. The proposed zoning of RML-25 is more consistent with this designation. This portion abuts zoning districts of RML-25, RM-15, and RD-15. The eastern quarter of the parcel has a Future Land Use of Medium and is zoned RD-15. The Applicants propose to rezone this portion to RM-15, which has the same density as the Future Land Use.

Mr. Shir continued that the development will include private entrances, private garages, and gated back yards. The Applicants have become active members of the Edgewood Civic Association and held a public participation meeting with more than 24 attendees. They reached out to individual neighbors to share renderings and the Site Plan, and have scheduled a follow-up participation meeting to discuss construction and other aspects of the proposed redevelopment. Several neighbors have written letters of support for the project.

Based on feedback from neighbors, the Applicants have implemented the following changes to the Site Plan:

- Individual building lengths reduced to 85 ft.
- Removed four units
- Increased the number of mature trees on the site by 30%
- Included 50% more guest parking than is required by the City
- Developed a retention plan that will hold 213,000 gallons of stormwater
- Installed 322 ft. of new sidewalk

The Applicants are not applying for any variances for the site. They have offered to install speed bumps to address speeding on nearby streets, and plan to address an existing raccoon problem in the area.

Mr. Ganon requested additional information on the reduction of the buildings' length. Mr. Shir replied that the project was initially planned as one long building, and has now been divided into multiple buildings.

Mr. Rotella noted that the Applicants' plans for stormwater retention refer to a decorative retaining wall. Mr. Shir explained that the back yards of the units will provide retention for stormwater in addition to the decorative wall. There is currently no water retention on the site.

Mr. Shechtman asked if the neighborhood association is supportive of the project. Mr. Shir stated that the civic association's president plans to speak in support of the plans.

Motion made by Mr. Rotella, seconded by Mr. Barranco, that the Staff Report become part of the record. In a voice vote, the **motion** passed unanimously.

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

Nancy Zamora, private citizen, stated that she owns two properties facing the proposed project. She felt the requested rezoning would be "spot zoning," as the result would be a multi-family parcel among single-family lots, and expressed concern for increased traffic and the height of the proposed buildings.

Susana Elizabeth Berg, private citizen and resident of Davie, advised that she does not live in the subject area but visits there. She agreed with Ms. Zamora's comments regarding the compatibility of the proposed project, asserting that residents do not want multi-family buildings in the neighborhood and expressing concern with increased traffic and density.

Kim Woodlon, private citizen, stated that the project proposes a large number of units in a small space and expressed concern for the small roadway and lack of sidewalks. She felt the proposal would be safer with only a single entrance and fewer units.

Alex Ramirez, private citizen, stated that he supports the proposed project, which is close to his own parcel. He pointed out that the Applicants have cleaned up the subject property, and did not feel the development would detract from the neighborhood or other residents' privacy. He felt the project would raise the average income level of residents in the community.

Timothy Jacques, pastor of New Life United Methodist Church, informed the Board that the Applicants met with the church to discuss plans for the site. He noted that there is flooding in the area during heavy rain, and recalled that the Applicants have plans to address this issue through water retention.

Jeannie Jacques, private citizen, also noted that the Applicants met with church members to review plans. Her concern had been for pedestrian safety, which will be addressed by the proposed sidewalk. She was supportive of the project.

Juanita Cook, private citizen, advised that she is a resident of the subject neighborhood. She expressed concern with the project's driveways located on 32nd Place, which is a dead-end street with a park. She concluded that she would like the neighborhood to remain single-family development.

Nicole Ciovacco, president of the Edgewood Civic Association, stated that a majority of the Association's board approved the project. She has been in regular communication with the Applicants and neighbors. When the project was presented to the Association's membership and attained majority approval, it was proposed as a rental community at the time; however, she did not feel that the change to owned units would affect the board's decision. She did not take issue with the size of the project.

Ms. Ciovacco confirmed the need for traffic calming measures in the neighborhood, and noted that the proposed parking for the project is more accommodating than what has been suggested in the past.

Gabrielle DiTomasso, private citizen, stated that she is a local real estate agent. She felt the development would help to increase property values throughout the Edgewood community, and was in favor of the project.

Pamela Romero, private citizen, advised that she is also a real estate agent and feels the project would benefit the community.

James Clarke, private citizen, resident of Pompano Beach, stated that he wished to serve as a character reference for the Applicants, with whom he has worked on developments in the past. He characterized them as responsible and thorough.

Mike Batchelder, private citizen, resident of Pompano Beach, stated that he is a real estate broker who does business in the subject area. He was in favor of the project and felt it would improve property values in the neighborhood.

Sarah Azmi, private citizen, advised that she is a resident of the Edgewood community and was supportive of the project. She pointed out that the subject property was previously an eyesore, and noted that the Applicants' plans to reduce flooding, reduce the number of units, and make the properties for sale would benefit the community.

Anna Ryesdorph, private citizen, stated that the City has not addressed flooding issues in the Edgewood neighborhood for many years, and did not feel the project would alleviate this problem. She recommended that a civil engineer review the area due to flooding and drainage before there is more development.

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. Barranco asked if the Site Plan for the subject property will come back before the Board for Level II review. Ms. Parker explained that Level II review will go before the DRC rather than the Board. Mr. Barranco advised that he would defer technical comments to DRC review, as the issue before the Board is rezoning only. The public will have the opportunity to comment more specifically on the Site Plan during the DRC process.

Mr. Barranco continued that he did not feel rezoning of the property would constitute "spot zoning," as the rezoning is compatible with not only surrounding properties but with the parcel's underlying land use. Ms. Parker confirmed that the underlying land use is consistent with both proposed rezonings. Staff took this into consideration when evaluating the property. The only difference is that RS-8 zoning permits eight units per acre, while RML-25 permits 25 units and RM-15 permits 15 units. These are consistent with the surrounding density of RD-15.

Mr. Barranco also pointed out that the issue of ownership or rental is not within the Board's purview, nor is it addressed in Code.

Ms. Fertig stated that the Edgewood neighborhood consists primarily of single-family homes, and expressed concern that the subject property is being rezoned without a Site Plan. While the number of proposed units has been lowered to 12, she noted that there is nothing to prevent the Applicants from building up to 25 units on the site. She was also concerned with the increase in density that would occur in the area and its effect on local schools. Mr. Weymouth pointed out that the subject site is one half-acre, which would permit only 12 units.

Mr. Shechtman commented that the Applicants have been very transparent and detail-oriented regarding their plans for the site, and have considered what neighbors might wish to see for the project. He added that the Board's responsibility is limited to determining whether or not the proposed rezoning is consistent with the City's Comprehensive Plan, whether the changes would adversely affect the character of development in the area, and whether the character of area surrounding the parcel proposed for rezoning is compatible with the uses permitted in the proposed zoning district. He felt the issue was clear on all three counts.

Ms. Fertig requested clarification of the size of the parcel. Mr. Shir replied that it is .75 of an acre, which means that 16 to 17 total units could be built on the parcel if it is rezoned, although he reiterated that the Applicants plan to build 12 units. Mr. Barranco asked if the Applicants would be willing to add a restrictive covenant limiting the property to 12 units. Mr. Shir confirmed that this was acceptable.

Motion made by Mr. Barranco to approve with all the Staff findings and recommendations, and also having the developer file a restrictive covenant with the County to limit the property to 12 units.

Attorney Wallen advised that although the developer had offered to abide by the restriction to 12 units, a reason must be stated for this offer according to the rezoning criteria.

Mr. Barranco added the following to his **motion**: that the lower density is more compatible with the adjacent properties.

It was clarified that Mr. Barranco's **motion** would apply to Item 3 and a separate motion would be required for Item 4.

Mr. Rotella **seconded** the **motion**.

In a roll call vote, the **motion** passed 8-1 (Ms. Fertig dissenting), recommended for approval to the City Commission, with a condition to restrict the property, limiting the overall development parcel (as presented under Case UDP-Z21001 and Case UDP-Z21002) to 12 units through a restrictive covenant.

Motion made by Mr. Barranco, seconded by Mr. Rotella, for an identical motion that was already read into the record for Item number 4.

Attorney Wallen requested clarification of whether or not Mr. Barranco's **motion** would limit the overall development to 12 town homes. Mr. Barranco confirmed that his **motion** was intended to apply to the entire .75 acre development.

Assistant City Attorney D'Wayne Spence stated that because the Board is voting on the two Items separately, it was necessary to clarify that the first vote, which recommended approval of Item 3 with the restrictive covenant, would also be distributed over the pending motion for Item 4. The intent is to apply the restrictive covenant to the overall parcel addressed by both Item 3 and Item 4.

In a roll call vote, the **motion** passed 8-1 (Ms. Fertig dissenting), recommended for approval to the City Commission, with a condition to restrict the property, limiting the overall development parcel (as presented under Case UDP-Z21001 and Case UDP-Z21002) to 12 units through a restrictive covenant.

Mr. Rotella briefly left the meeting at 10:03 p.m.

5. CASE: UDP-T21007

REQUEST: * Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-12, Central Beach Zoning Districts to Revise the Process and Procedures for Uses in

None.

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 10:32 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.]