



CITY OF FORT LAUDERDALE

**CITY OF FORT LAUDERDALE
PLANNING AND ZONING BOARD MEETING MINUTES
CITY HALL COMMISSION CHAMBERS**

100 N. ANDREWS AVE., FORT LAUDERDALE, FLORIDA 33301

WEDNESDAY, JULY 21, 2021 – 6:00 P.M.

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

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

Jim Hetzel, Principal Planner

Michael Ferrera, Urban Design and Planning

Karlanne Grant, Urban Design and Planning

Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Scott called the meeting to order at 6:01 p.m. and the Pledge of Allegiance was recited. The Chair introduced the Board members, and Urban Design and Planning Manager Ella Parker introduced the Staff members present.

II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM

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

III. PUBLIC SIGN-IN / SWEARING-IN

~~they were restaurant uses; however, she pointed out that guests would be permitted into the facility, and an employee may be present for cleaning or other purposes.~~

4. 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 the Central Beach Zoning Districts, Revise and Adopt Dimensional Requirements including Open Space and Streetscape Design Requirements, and Adopt Prescriptive Criteria for the Design and Compatibility Point System

APPLICANT: City of Fort Lauderdale

GENERAL LOCATION: Central Beach Regional Activity Center Zoning Districts

CASE PLANNER: Karlanne Grant

Mr. Hetzel showed a PowerPoint presentation on the proposed Central Beach Text Amendment, noting that this is the result of a years-long process. The Amendment proposes permitted uses, dimensional standards, design compatibility, open space requirements, clarification of the public/pedestrian realm, and a process for approval. Over the past two years, City Staff has met with the CBA and provided its Board with a preliminary presentation on this Item in March 2021.

One of the items on which Staff focused was the permitted uses section, which was originally verbose and not reflective of other sections of Code. Staff condensed this into a table format, which is more consistent with Code. The existing point system in current Code is very subjective. This section was rewritten and re-categorized for greater clarity.

Open space requirements were recently codified for the City's Downtown area using an approach based on residential uses and the number of units. This was applied to the Central Beach district, with a non-residential percentage as well. If the project is mixed-use, the higher of the residential or non-residential percentages will be used.

Streetscape standards were created to address safety and activity in the public/pedestrian realm. There are minimum sidewalk requirements across the board for the Central Beach, with additional "cleanup" of this section. Staff considered primary and secondary streets and what would be required on their frontage, with a focus on the public realm through pedestrian improvements and activity on the beach.

Regarding dimensional standards, there are changes to existing setback requirements, although no changes to building height are proposed. Front, side, and rear setbacks are clarified within this zoning district, with more specific distance requirements. Staff also

added a form-based element, which provides more detail for both developers and the public. This includes floor area ratio (FAR) for the IOA zoning district, shoulder heights for podiums, and tower setbacks and separations.

Mr. Hetzel noted that the City's other Master Plans encourage allowing light and air through to the ground level of the public realm. This standard is now established in the Central Beach and all its zoning districts. The same approach to tower separation was applied to the Central Beach as in the Downtown area, with 60 ft. between towers on the same or adjacent properties. This allows applicants more flexibility regarding the massing of a building while still meeting dimensional standards. He showed a number of graphics illustrating how these standards, including floor plate size, podium height, and tower setbacks, would be applied across zoning districts.

The development permit and approval process and procedures will be modified, with Site Plan Level II review to be applied if an applicant meets all dimensional requirements. These applications, however, would be subject to City Commission call-up, as well as public participation prior to the call-up phase. Site Plan Level IV, which goes through the PZB and Commission for projects seeking modifications, would also be subject to public participation requirements.

Mr. Barranco asked for additional examples of the FARs of well-known buildings on the beach. Mr. Hetzel recalled that a recent project approved for the former Alhambra site was approved with an FAR of 4.5. Mr. Barranco explained that he would like this information for a better understanding of why FAR is limited to 4. Mr. Hetzel advised that the Planned Resort district would have the highest FAR at 6, followed by the South Beach Marina district at 5. Intensity decreases as projects move away from these two zoning districts.

Karlanne Grant, representing Urban Design and Planning, further clarified that when Staff compiled these recommendations, they reviewed a number of projects that had been proposed in the past, such as A.C. Marriott (with a FAR of 3.97) or Adagio (with a FAR of 4.13). Because these projects are located in the NBRA and IOA zoning districts, Staff felt the maximum FAR of 4 was appropriate in the context of these districts. Mr. Hetzel added that there is no specific FAR limitation in current Code.

Mr. Weymouth commented that he was surprised at the relative lack of public turnout to speak on this Item. Mr. Hetzel recalled that there had been significant turnout when the Item was presented to the CBA. He emphasized the Staff outreach that accompanied this Item before it was brought to the Board, as well as the length of the process that resulted in the proposed changes.

Ms. Fertig requested additional information on how the zero side and rear yard setbacks were received by the public. Mr. Hetzel noted that parcels in some zoning districts, such as SLA, are very small, which made zero side setbacks applicable. Ms. Grant continued

that this also applies in the PRD, which is one of the most intense zoning districts on the Central Beach. Existing Code permits zero setbacks in this district, which Staff determined should be kept the same.

Ms. Fertig asked if the CBA had provided consensus on these decisions. Ms. Grant confirmed this, adding that she had also reached out to the president of the CBA to determine if another presentation was necessary before the Item came before the PZB. It was decided that no special meeting would be necessary, as CBA members were supportive of the overall Amendment effort.

Ms. Fertig also addressed tower separation, asking if there was consensus from the CBA and other beach residents on the 60 ft. separation as well. Mr. Hetzel explained that this proposed distance is the same as Downtown because the City's consultants had provided analysis on tower separation that was not specific to any single district. Staff did not have the resources to conduct a separate study for the beach and determined that further analysis would not be necessary.

Regarding public feedback, Ms. Grant advised that most residents reacted positively to this proposed change, as it represents a more form-based approach and provides more air and light between buildings.

Ms. Fertig requested clarification that no changes were made regarding the number of beach trips remaining. Mr. Hetzel confirmed this, pointing out that beach trips are tied to the RAC Land Use designation.

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

Nectaria Chakas, land use attorney, expressed concern with a number of aspects of the proposed Amendment, including:

- No grandfathering provision for existing Site Plans within the Central Beach that would allow these projects to continue to be modified, or permitting them to be rebuilt under previous Code
- Potential unintended consequences of a building length limitation that includes parking garages, which may force developers to construct multiple parking garages on a site
- No permissions to modify building lengths outside the PRD or ABA districts
- Lack of assurance that building length limitation would not apply to subterranean parking areas
- 12 to 15 ft. setback requirements on all sides for towers, which would be difficult for shallow or linear parcels, with no provision to request relief

Ms. Chakas also noted that there is currently no minimum requirement for floor plates, pointing out that the proposed maximum floor plate would result in significant

"downzoning" of the Central Beach. The Amendment places a 10,000 sq. ft. limitation on all residential floor plates for properties above 65 ft. in height in all districts, with no mechanism to request relief from this limitation. This would be difficult for properties that must meet tower separation requirements on the same site or on neighboring parcels. She reviewed the floor plates of a number of existing projects on the beach, including the Adagio, Four Seasons, and Paramount properties, each of which have floor plates of over 17,000 sq. ft. and would not be permitted under the proposed Amendment.

Ms. Chakas continued that the open space requirement, as drafted, can be calculated in one of two ways: for a residential or non-residential project. In a mixed-use project, the greater requirement of these two would apply. She cited the example of the Paramount, which has less than one floor of commercial development but would be subject to non-residential open space requirements.

Ms. Chakas concluded that the development approval chart includes a line item that proposes residential development, even if it meets all Code requirements, would have to come before the PZB regardless, while hotels can be approved at DRC level with a 30-day call-up provision. She suggested placing residential development into the same category as hotels so it is eligible for this shorter process.

Chair Scott asked if Ms. Chakas had reviewed her concerns with Staff. Ms. Chakas confirmed this. Mr. Hetzel clarified that Staff has not received these comments in written form.

Chair Scott expressed concern for floor plate requirements, as well as the lack of relief from some provisions. Mr. Hetzel advised that Staff agrees with some of the concerns raised by Ms. Chakas, and felt it was possible to reach consensus with regard to the process for approval or requests for deviation. With respect to floor plate size, he suggested that this could go before the City Commission under Site Plan Level IV review.

Ms. Parker also agreed that Staff is comfortable addressing many of Ms. Chakas' concerns, such as a grandfathering provision, between tonight's hearing and the City Commission hearing. Building length can also be reviewed for all Central Beach districts, and an easier process when provisions are met could also be considered. She pointed out that while there were previously no floor plate size requirements on the Central Beach, overall regulations were more nebulous as well. Staff has sought to balance the previous lack of clarity with more form-based regulations.

Ms. Fertig stated her intent to make a motion that the Item be brought back to the Board once more, perhaps in September or October 2021, before it is heard by the City Commission.

Courtney Crush, land use attorney, advised that she agreed with many of the points previously raised by Ms. Chakas. She addressed floor plates, noting the distinction

between the residential limitation to 10,000 sq. ft. as opposed to a hotel, and asked if a policy decision has been made that would require hotels to have larger floor plates than residential development. She cautioned that this could have an effect on the limited amount of remaining beach trips, and noted that the distinction could result in the estimation that a hotel represents the highest and best use of property on the beach.

Ms. Crush also addressed density, noting that the PRD, NBRA, and SLA zoning districts have residential densities of 32 to 48 dwelling units per acre. She recommended that Staff consider increasing this density, which would affect the price points of residential development to attract a broader base of potential residents.

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.

Motion made by Ms. Fertig, seconded by Ms. McCartney, to defer this until October. In a voice vote, the **motion** passed unanimously (7-0).

~~V. COMMUNICATION TO THE CITY COMMISSION~~

~~Mr. Shechtman advised that sidewalks are not complete within the Tarpon River residential neighborhood. He asserted that the only hope for implementing a full sidewalk system on this neighborhood's streets is to require their construction as properties are developed or redeveloped, and expressed concern that the City continues to miss opportunities to improve its sidewalk system in areas where this improvement is desired.~~

~~Mr. Shechtman cited a number of Building Department conditions that permit development or redevelopment of properties without constructing a sidewalk, which include:~~

- ~~• City Manager or designee has not determined that sidewalks are desirable~~
- ~~• Existing drainage issues~~
- ~~• Adjacent properties have not been improved with sidewalks~~
- ~~• No sidewalks were constructed in the original subdivision development~~
- ~~• Adjacent right-of-way is less than 50 ft.~~

~~He continued that there are ongoing developments on some of the City's busiest streets within residential neighborhoods in which developers may avoid constructing sidewalks as part of their projects. Mr. Shechtman noted that one suggestion from the Building Department is that each neighborhood create a map of where they would like to implement sidewalks, which could be approved by the City Commission and adopted as Code. Thereafter, if a project is approved on one of these streets, a sidewalk must be constructed unless prevented by drainage or right-of-way issues.~~

~~Mr. Shechtman stated that he would like to hear the Board's input on the possibility of making a motion to suggest this change. He recommended that the Board communicate~~

There being no further business to come before the Board at this time, the meeting was adjourned at 8:06 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.]