CITY OF FORT LAUDERDALE

PLANNING AND ZONING BOARD MEETING MINUTES
CITY HALL COMMISSION CHAMBERS
100 N. ANDREWS AVE., FORT LAUDERDALE, FLORIDA 33301
WEDNESDAY, JULY 20, 2022 – 6:00 P.M.

	June 2022 – May 2023		
Board Members	**Attendance**	**Present**	**Absent**
Michael Weymouth, 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	A	0	2
William Rotella	P	2	0
Jay Shechtman	A	1	1

Staff
Ella Parker, Urban Design and Planning Manager
D'Wayne Spence, Assistant City Attorney
Shari Wallen, Assistant City Attorney
Jim Hetzel, Principal Urban Planner
Lorraine Tappen, Principal Urban Planner
Michael Ferrera, Urban Design and Planning
Karlanne Grant, Urban Design and Planning
Yvonne Redding, Urban Design and Planning
Adam Schnell, Urban Design and Planning
Steve Hillberg, Public Works Department
Jamie Opperlee, Recording Secretary, Prototype, Inc.

~~**Communication to City Commission**~~

~~**Motion** made by Ms. Fertig, seconded by Mr. Ganon, commending the Planning Staff and Parks Department Staff for all the work done so far on rezoning properties to parks, and the work they will be doing in the future. They've done a great job in a short time. In a voice vote, the **motion** passed unanimously.~~

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

~~Chair Weymouth called the meeting to order at 6:07 p.m. and the Pledge of Allegiance was recited.~~

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

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

Chair Weymouth introduced the Board members present, and Urban Design and Planning Manager Ella Parker introduced the Staff members present.

III. PUBLIC SIGN-IN / SWEARING-IN

Any members of the public wishing to speak at tonight's meeting were sworn in at this time.

IV. AGENDA ITEMS

Index

Case Number	Applicant
1. UDP-Z22002* **	SCC Property Holdings and Management, LLC
2. UDP-Z22004* **	First Ebenezer Missionary Christian Church Inc.
3. UDP-Z22005* **	City of Fort Lauderdale
4. UDP-Z22006* **	City of Fort Lauderdale
5. UDP-Z22007* **	City of Fort Lauderdale
6. UDP-Z22008* **	City of Fort Lauderdale
7. UDP-Z22010* **	City of Fort Lauderdale
8. UDP-Z22011* **	City of Fort Lauderdale
9. UDP-Z22012* **	City of Fort Lauderdale
10. UDP-Z22013* **	City of Fort Lauderdale
11. UDP-A22007**	Richard Berrie, Berrie Architecture & Design, Inc.
12. UDP-T22004*	City of Fort Lauderdale
13. UDP-T22005*	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-Z22002
   REQUEST: * ** Rezoning from Commercial Warehouse (C-1) County to Community Business (CB)

APPLICANT: SGC Property Holdings and Management, LLC.
AGENT: Andrew Schein, Esq., Lochrie & Chakas, P.A.
PROJECT NAME: HSC Dollar General – Fort Lauderdale
PROPERTY ADDRESS: 2525 NW 19th Street
ABBREVIATED LEGAL DESCRIPTION: North West Lauderdale 25-25 B Lot 42 Less S 5 For St Blk 2
ZONING DISTRICT: Commercial Warehouse (C-1) County
PROPOSED ZONING DISTRICT: Community Business (CB)
LAND USE: Commercial
COMMISSION DISTRICT: 3 – Robert McKinzie
NEIGHBORHOOD ASSOCIATION: Rock Island Community Development, Inc.
CASE PLANNER: Yvonne Redding

Disclosures were made at this time.

Andrew Schein, representing the Applicant, explained that the request was for rezoning. The property is currently zoned C-1, which is a heavy commercial/light industrial Broward County zoning district. It was not rezoned when Fort Lauderdale annexed the area. The Applicant requests rezoning of the parcel to CB (Community Business).

Criteria for rezoning include:

- The proposed zoning district is consistent with the City's Comprehensive Plan: the area has a Future Land Use designation of Commercial
- Changes anticipated by the proposed rezoning will not adversely affect the character of development in or near the area: surrounding uses include medical offices, retail, and some single-family residential
- The character of the area is suitable for the uses permitted in the proposed zoning district and compatible with surrounding districts: C-1 zoning permits uses such as gun ranges, warehousing, and gas bottling, which are less compatible with the nearby single-family use, while CB permits banks, retail, and restaurants

The use proposed for the subject site is a Dollar General store, which will come before the Board with a Site Plan at the next scheduled meeting. The Applicant has met with surrounding neighbors at a Rock Island Community Development Association meeting, as well as a second meeting via Zoom. That Association has provided a letter of support for the rezoning as well as the proposed new use.

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

Nadine Hankerson, private citizen, advised that she lives behind the subject parcel. She expressed concern that Rock Island is not the only nearby homeowners' association to which the Applicant has reached out: they should have included the Lake Air and Lauderdale Manors neighborhoods, which are also close to the property for which

rezoning is proposed. She hoped the Applicant would contact these homeowners as well.

Mr. Schein stated that he would reach out to the two additional neighborhoods prior to next month's meeting. He clarified that notice was sent to neighbors within 300 ft. of the subject property.

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 Mr. Ganon, to, not only on this case but on all cases, include the Staff recommendations. In a voice vote, the **motion** passed unanimously.

Motion made by Mr. Ganon, seconded by Ms. Fertig, to approve the rezoning from Commercial Warehouse, C-1 County, to Community Business, CB. In a roll call vote, the **motion** passed unanimously (5-0).

2. **CASE:** UDP-Z22004
   REQUEST: * ** Rezoning from Residential Multifamily Mid Rise - Medium High Density (RMM-25) District to Northwest Regional Activity Center- Mixed-Use east (NWRAC-MUe) District
   APPLICANT: First Ebenezer Missionary, Christian Church Inc
   AGENT: Stephanie Toothaker, Esq.
   GENERAL LOCATION: 312 NW 7th Street, East of NW 4th Avenue, West of NW 3rd Avenue, South of NW 7th Street and North of 613 NW 3 AVE
   ABBREVIATED LEGAL DESCRIPTION: LOTS 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,13,14,15, 16, 35, 36, 39, 40, 41, 42, 43, 44, 45, 46, 47 AND 48, BLOCK 322, OF PROGRESSO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA
   ZONING DISTRICT: Rezoning from Residential Multifamily Mid Rise - Medium High Density (RMM-25) District
   PROPOSED ZONING: Northwest Regional Activity Center Mixed-Use east (NWRAC-MUe) District
   LAND USE: Northwest Regional Activity Center (NWRAC)
   COMMISSION DISTRICT: 2 – Steven Glassman
   NEIGHBORHOOD ASSOCIATION: Progresso Village Civic Association, Inc.
   CASE PLANNER: Adam R. Schnell

Disclosures were made at this time.

Stephanie Toothaker, representing the Applicant, showed a PowerPoint presentation on the Item, which proposes rezoning for a church and other properties. All parties who own property on the subject block are requesting rezoning to Northwest Regional

~~Activity Center (Northwest RAC), which is already the Future Land Use for these parcels. Most nearby properties have already been rezoned for consistency with this Future Land Use, and the request would bring other properties into compliance as well.~~

~~Ms. Toothaker noted that the request meets all rezoning criteria and is consistent with the City's Comprehensive Plan, particularly its Future Land Use element, Goal 2, Objective 2.4, which encourages revitalization in redevelopment areas. It is also consistent with the Northwest Progresso-Flagler Heights Redevelopment Plan. The character of the area is suitable for the uses permitted in the proposed zoning district. Rezoning also aligns the properties with the neighborhood's goal of supporting redevelopment opportunities, and has the potential of increasing housing opportunities and local employment.~~

~~A letter of support has been provided to the Applicant from Progresso Village. The Applicant held a public participation meeting on June 20, 2022, and made a presentation to Progresso Village.~~

~~There being no questions from the Board at this time, Chair Weymouth 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.~~

~~Mr. Barranco commented that one of the Applicant's graphics showed that a street itself would not be rezoned. Ms. Toothaker replied that her team worked with Staff on the survey provided and was given no direction to change the right-of-way. She noted that the Applicant would not object to this change. Assistant City Attorney D'Wayne Spence advised that this would be corrected when the Application is heard by the City Commission.~~

~~**Motion** made by Ms. Fertig, seconded by Mr. Barranco, to recommend approval of Case Number UDP-Z22004, based on the findings of fact in the Staff Report and the testimony heard tonight. In a roll call vote, the **motion** passed unanimously (5-0).~~

~~The following Item was taken out of order on the Agenda.~~

~~**11. CASE:** UDP-A22007~~
~~**REQUEST:** ** Site Plan Level III Review; Yard Modification for Height Increase / Addition of Rooftop Bar to Existing Hotel~~
~~**AGENT:** Richard Berrie, Berrie Architecture & Design, Inc.~~
~~**PROJECT NAME:** Cambria Roof Top Bar Structure~~
~~**PROPERTY ADDRESS:** 2232 N. Ocean Boulevard~~
~~**ABBREVIATED LEGAL DESCRIPTION:** Lauderdale Beach, Block 1, Lots 30 through 37, Plat Book 4, Page 2~~
~~**ZONING DISTRICT:** RMH-60 - Residential Multifamily High Rise/High Density~~
~~**LAND USE:** High Residential~~
~~**COMMISSION DISTRICT:** 2 – Steve Glassman~~

NEIGHBORHOOD ASSOCIATION: Central Beach Alliance HOA
CASE PLANNER: Lorraine Tappen

Disclosures were made at this time.

Richard Berrie, representing the Applicant, showed a PowerPoint presentation on the request, stating that Cambria Hotel Suites opened in January 2021 and was approved with a portable rooftop terrace. The Applicant seeks to place a permanent bar and seating area on the rooftop. The bar will have a solid back and trellis roof structure in order to block views and noise from the surrounding buildings and enhance privacy on the rooftop. It would be set back an additional 9.8 ft. from the east façade, which already has a 25 ft. setback.

Mr. Berrie continued that the corner stairs to the rooftop are at 70 ft. 8 in. The proposed bar would be obscured from surrounding views. The Applicant has worked closely with the Central Beach Alliance (CBA), whose president has provided a letter of support. Multiple notices were sent out for Development Review Committee (DRC) meetings and public participation. Music on the rooftop will be kept at a low volume to alleviate any noise concerns.

Ms. Fertig noted that the Board received a letter from the CBA requesting that the following three conditions be met if the Item is approved:

- Limiting sound play to light music without amplification
- Live entertainment not to exceed a single musician
- Compliance with the City of Fort Lauderdale's Noise Ordinance

The Board also received a letter requesting shrubbery around the mechanical equipment on the rooftop. Ms. Fertig asked if the Applicant was willing to comply with these requested conditions. Jay Motwani, developer/owner of the Cambria Hotel, stated that he has agreed to all of the conditions cited by Ms. Fertig.

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

Chair Weymouth advised that representatives of neighborhood or condominium associations are allowed five minutes' speaking time, while three minutes' time is allowed to other members of the public.

Barbie Pearson, secretary of the Lauderdale Beach Homeowners' Association, stated that this advisory body's board of directors was in favor of the project. She read a portion of a letter from that board of directors into the record, noting that the rooftop bar would need to comply with the City's Noise Ordinance.

Ms. Pearson added that the Dolphin Isles Homeowners' Association president Allen Zeman had forwarded her a copy of the letter he had sent to the Planning and Zoning

~~Board. That Association also felt the proposal fit well within the neighborhood and voted unanimously to support it.~~

~~Stephen Sowards, general manager of the Auberge Beach Residences and Spa, advised that this condominium is also supportive of the proposed project. He noted that the Applicant has been responsive to feedback from this entity.~~

~~Alif __, private citizen, stated that she is a resident of the beach area and felt the proposed rooftop amenity would be an asset to the neighborhood.~~

~~Pearl Feiss, private citizen, advised that she lives across from the Cambria Hotel. She noted that other bars in the surrounding area have featured very loud music at night, which kept nearby residents from sleeping. She asked how the project's neighbors could be sure this would not happen again.~~

~~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 why the project was before the Board if it had been originally approved with a rooftop bar. Principal Urban Planner Lorraine Tappen replied that the addition of a bar and its overhead structure would raise the total height of the hotel from 50 ft. to 60 ft. 3 in. The RMH-60 zoning district permits a maximum setback of one-half the height of the structure, unless a yard modification is sought.~~

~~Mr. Barranco asked if the Applicant could have operated a bar on the rooftop "as is" if they had not added the overhead structure to block sound. Ms. Tappen explained that the bar structure itself raised the overall height of the building. While the existing rooftop terrace is habitable, the addition of more activity means the height of the entire structure must be revisited.~~

~~Mr. Barranco continued that the original Site Plan for the property includes screening for rooftop equipment, although this screening did not match what is currently proposed. He felt this would be insufficient in screening noise from neighboring properties. Ms. Tappen confirmed that if screening does not match the approved plans or is inadequate to meet Unified Land Development Regulations (ULDR) standards in matching the materials of the building, this should be addressed.~~

~~Ms. Parker explained that the project, when originally approved, did not include a habitable rooftop space and was approved at a height of 50 ft. The proposed rooftop bar required the adjustment of the building's height by another 10 ft., which affects the yard modification originally approved by the Board. This was the reason the request could not be administratively approved, as specified within Code.~~

~~Mr. Barranco pointed out that there is a rooftop elevator as well. Ms. Tappen explained that the elevator is not included in the building's overall height, and that the rooftop is~~

~~not presently considered a habitable space. Ms. Parker added that once the space is made habitable, it triggers a greater height consideration.~~

~~Mr. Barranco reiterated his concern with the proposed screening, stating again that the previously approved screening does not match the proposal. Ms. Parker advised that this would be reviewed in greater detail.~~

~~Ms. Tappen noted the following corrections to the Staff Report:~~

- ~~P.1, applicable ULDR Sections, should read 47-5.38 for the table of dimensional requirements in RMH-60 zoning districts~~
- ~~The Resolution provided to Board members earlier in the same day includes language changing the condition to "Applicant shall not amplify the music to a sound level above what is permitted by the City's Code of Ordinances, and Applicant shall limit live entertainment to not exceed one musician"~~

~~**Motion** made by Ms. Fertig to adopt the Resolution approving a Site Plan Level III, Case Number UDP-A22007, based on the findings in the Staff Report, the testimony tonight, and the communications received, with the following conditions that came from the Central Beach Alliance and the other condo building:~~

~~1. Limit the sound played to light music without amplification.~~
~~2. Live entertainment not to exceed a single [one] musician.~~
~~3. Compliance with the City of Fort Lauderdale Noise Ordinance.~~
~~4. Shrubbery and screening around the mechanical [equipment].~~

~~(which will hopefully address some of the issues that [Mr. Barranco] has raised).~~

~~Assistant City Attorney Shari Wallen noted that the additional condition cited by Ms. Tappen was included in the Resolution to which Ms. Fertig's **motion** referred.~~

~~Mr. Ganon **seconded** the **motion**.~~

~~Attorney Wallen 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 development permit for the addition of a rooftop bar, canopy structure, and restroom, and modification of yards for an existing hotel located at 2231 N. Ocean Boulevard, Fort Lauderdale, Florida, Case Number UDP-A22007.~~

~~In a roll call vote, the **motion** passed unanimously (5-0).~~

~~It was determined that Items 3 through 10 would be presented together and voted upon separately.~~

3. CASE: UDP-Z22005

REQUEST: * ** Rezoning from Boulevard Business (B-1) District to Parks, Recreation and Open Space (P) District
APPLICANT: City of Fort Lauderdale
GENERAL LOCATION: 2750 NW 19th Street and 2770 NW 19th Street
ABBREVIATED LEGAL DESCRIPTION: LAUDERDALE MANOR HOMESITES 34-21 B LOT 13, 14, 15 BLK 1 (0.49 ACRES)

ZONING DISTRICT: Boulevard Business (B-1) District
PROPOSED ZONING: Parks, Recreation and Open Space (P) District
LAND USE: Parks, Recreation and Open Space
COMMISSION DISTRICT: 3 – Robert Mckinzie
NEIGHBORHOOD ASSOCIATION: Lake Aire Palm View Homeowners Association
CASE PLANNER: Michael Ferrera

4. **CASE:** UDP-Z22006
REQUEST: * ** Rezoning from Planned Unit Development (PUD) to Parks, Recreation and Open Space (P) District
APPLICANT: City of Fort Lauderdale
GENERAL LOCATION: 1621 SW 24th Street
ABBREVIATED LEGAL DESCRIPTION: GEORGIAN OAKS 175-177 B PARCEL 2 (PARK) (1.09 ACRES)
ZONING DISTRICT: Planned Unit Development (PUD)
PROPOSED ZONING: Parks, Recreation and Open Space (P) District
LAND USE: Medium
COMMISSION DISTRICT: 4 – Ben Sorensen
NEIGHBORHOOD ASSOCIATION: River Oaks Civic Association
CASE PLANNER: Michael Ferrera

5. **CASE:** UDP-Z22007
REQUEST: * ** Rezoning from Airport Industrial Park (AIP) District to Parks, Recreation and Open Space (P) District
APPLICANT: City of Fort Lauderdale
GENERAL LOCATION: 6200 NW 21st Avenue
ABBREVIATED LEGAL DESCRIPTION: FORT LAUDERDALE INDUSTRIAL AIRPARK SEC 2 63-8 B LOT 44 LESS PT DESC'D IN OR 18201/957 FOR RD (8.15 ACRES)
ZONING DISTRICT: Airport Industrial Park (AIP) District
PROPOSED ZONING: Parks, Recreation and Open Space (P) District
LAND USE: Conservation
COMMISSION DISTRICT: 1 – Heather Moraitis
NEIGHBORHOOD ASSOCIATION: N/A
CASE PLANNER: Michael Ferrera

6. **CASE:** UDP-Z22008

REQUEST: * ** Rezoning from Regional Activity Center – City Center (RAC-CC) District to Parks, Recreation and Open Space (P) District
APPLICANT: City of Fort Lauderdale
GENERAL LOCATION: 25 SW 9th Street and 701 S Andrews Ave
ABBREVIATED LEGAL DESCRIPTION: FT LAUDERDALE B-40 D LOT 2,3 LESS POR DESC IN OR 18314/824 BLK 60 AND FT LAUDERDALE B-40 D A POR LOT 2 BLK 60 DESC AS; BEG AT SE COR SAID LOT 2,W 100,N 380 E 100,S 380 TO POB AND FT LAUDERDALE B-40 D LOT 1 BLK 60 (7.8 ACRES)
ZONING DISTRICT: Regional Activity Center – City Center (RAC-CC) District
PROPOSED ZONING: Parks, Recreation and Open Space (P) District
LAND USE: Downtown Regional Activity Center
COMMISSION DISTRICT: 4 – Ben Sorensen
NEIGHBORHOOD ASSOCIATION: Tarpon River Civic Association
CASE PLANNER: Michael Ferrera

7. **CASE:** UDP-Z22010
REQUEST: * ** Rezoning from Residential Single Family/Low Medium Density (RS-8) District to Parks, Recreation and Open Space (P) District
APPLICANT: City of Fort Lauderdale
GENERAL LOCATION: 2401 NE 8th Street
ABBREVIATED LEGAL DESCRIPTION: SUNRISE 28-42 B LOT 13 BLK 4 AND SUNRISE 28-42 B PARK DEDICATED TO THE PUBLIC PER PLAT (0.47 ACRES)
ZONING DISTRICT: Residential Single Family/Low Medium Density (RS-8) District
PROPOSED ZONING: Parks, Recreation and Open Space (P) District
LAND USE: Low Medium
COMMISSION DISTRICT: 1 – Heather Moraitis
NEIGHBORHOOD ASSOCIATION: Sunrise intracoastal Homeowners Association
CASE PLANNER: Michael Ferrera

8. **CASE:** UDP-Z22011
REQUEST: * ** Rezoning from One-Family Detached Dwelling - County (RS-4) District to Parks, Recreation and Open Space (P) District
APPLICANT: City of Fort Lauderdale
GENERAL LOCATION: 4600 Twin Lakes Boulevard
ABBREVIATED LEGAL DESCRIPTION: BELOTTI VILLAS 57-41 B LOT 9 BLK 1 (0.20 ACRES)
ZONING DISTRICT: One-Family Detached Dwelling - County (RS-4) District
PROPOSED ZONING: Parks, Recreation and Open Space (P) District
LAND USE: Irregular 6.47
COMMISSION DISTRICT: 1 – Heather Moraitis

NEIGHBORHOOD ASSOCIATION: Twin Lakes North Homeowners Association
CASE PLANNER: Michael Ferrera

9. **CASE:** UDP-Z22012
REQUEST: * ** Rezoning from Residential Single Family/Low Medium Density (RS-8) District to Parks, Recreation and Open Space (P) District
APPLICANT: City of Fort Lauderdale
GENERAL LOCATION: 2 North Victoria Park
ABBREVIATED LEGAL DESCRIPTION: VICTORIA PARK CORR AMEN PLAT 10-66 B LOT 1 TO 6 BLK 9 (0.94 ACRES)
ZONING DISTRICT: Residential Single Family/Low Medium Density (RS-8) District
PROPOSED ZONING: Parks, Recreation and Open Space (P) District
LAND USE: Low Medium
COMMISSION DISTRICT: 2 – Steven Glassman
NEIGHBORHOOD ASSOCIATION: Victoria Park Civic Association
CASE PLANNER: Michael Ferrera

10. **CASE:** UDP-Z22013
REQUEST: * ** Rezoning from Planned Resort Development (PRD) District to Parks, Recreation and Open Space (P) District
APPLICANT: City of Fort Lauderdale
GENERAL LOCATION: North Seabreeze Boulevard
ABBREVIATED LEGAL DESCRIPTION: LAUDER DEL MAR 7-30 B PT OF LOT 9 DESC'D AS,COMM AT SW COR OF BLK 3,E 128.30 TO PT ON PROPOSED E R/W/L OF SOUTHBOUND A-1-A,NELY 209.09 TO P/C,NLY & NELY 37.31 TO PT ON W/L OF LOT 9 & POB,NELY 5.57,NE & ELY 28.94 TO P/T,W ALG N/L LOT 9,25.12, SLY 20.07 TO POB & LOTS 10 & 11 BLK 3,LESS COMM NW COR BLK 3,E 15.63 TO POB,E 65.76,SWLY 29.88, SLY 75.85,SW 38.77, W 52.11, NE 53.44,NLY 77.10,ELY 5.25 TO POB TOGETHER WITH LAUDER DEL MAR 7-30 B PT LOTS 16,17 & 18 DESC AS: COMM SW COR BLK 3,NLY 40.03 TO POB, NLY 98.80,E 83.43,SW 96.58,SELY 46.42,W 101.07,NWLY 50.63 TO POB BLK 3, LESS COMM SW COR BLK 3, E 40.03 TO POB,E 101.07,NWLY 46.42 NE 96.58,W 52.11,SW 111.30,SWLY 30.54,ELY 1.58 TO POB AKA: AMD PAR 16 OF CA 90-5910 AND LAUDER DEL MAR 7-30 B LOTS 12 & 13,LESS PT DESC'D IN AND LAUDER DEL MAR 7-30 B LOT 21 LESS PT DESC AS, BEG AT SE COR OF LOT 21,W ALG S/L FOR 50 TO SW COR OF LOT 21,NLY 5.93 TO PT ON CUR, NELY 12.96 TO P/R/C,NE 88.14 TO P/R/C,NELY 20.61 TO E/L OF LOT 21,SLY 116.42 TO POB BLK 2 ORIGINAL PARCEL 13 OF CA 90-05910 BLK 2 (0.44 ACRES)
ZONING DISTRICT: Planned Resort Development (PRD) District
PROPOSED ZONING: Parks, Recreation and Open Space (P) District
LAND USE: Central Beach Regional Activity Center
COMMISSION DISTRICT: 2 – Steven Glassman

NEIGHBORHOOD ASSOCIATION: Central Beach Alliance Homeowners Association
CASE PLANNER: Michael Ferrera

Disclosures were made at this time.

Michael Ferrera, representing Urban Design and Planning, explained that in September 2021, the Board sent a communication to the City Commission requesting that Staff review the zoning of parks in the Downtown area. At the October 21, 2021 City Commission meeting, the Commission asked that Staff expand this review to include all parks within the City. The Development Services and Parks and Recreation Departments compiled a list of roughly 30 City parks which have varying zoning districts and need to be rezoned to Parks.

Due to the large number of parks that require rezoning, Staff has determined that this rezoning will be carried out in phases. Phase 1 is before the Board tonight.

It was asked if all the subject sites are currently used as park space. Mr. Ferrera confirmed this is the case.

Ms. Fertig commented that there are approximately 120 City park facilities, of which under half are not zoned for Parks use. This means they are not afforded the full protections of Park properties as cited in the City's Charter. She was very much in favor of this project.

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

Nancy Long, president of the River Oaks Civic Association, addressed Case UDP-Z22006, thanking Staff for rezoning this property to Parks.

April Young, private citizen, stated that she lives near Bass Park, which is named in Case UDP-Z22005. She stated that residents of her neighborhood would like some of the commodities in the area to be "enhanced and beautified" so the park can be used.

Barbie Pearson, private citizen, thanked Staff for undertaking this rezoning project to protect City parks.

Colleen Tessima, private citizen, addressed Case UDP-Z22012, which is near her home. She felt the rezoning project will improve the park's zoning integrity. She added that she has concerns with safety near the park, where a number of traffic accidents have occurred, and suggested that safety measures be enhanced.

Rhadames Morales, private citizen, addressed Case UDP-Z22006, stating that this park is very close to his property. He expressed concern with potential construction near the park site.

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.

Assistant City Attorney Spence advised that Item 4, Case UDP-Z22006, is currently part of a Planned Unit Development (PUD) rezoning. While it will be rezoned to Parks, it also includes a number of additional conditions, which rezoning to Parks may remove. He recommended that when the Board makes a motion on this Item, it should state whether or not they wish to retain the conditions under the PUD Ordinance as part of the rezoning.

Chair Weymouth requested that Item 4 be voted upon first among the related Items 3 through 10.

Motion made by Ms. Fertig, seconded by Mr. Ganon, to recommend approval of Case [UDP-Z22006], based on the findings of fact, and also retain the conditions that were adopted under the PUD Ordinance. In a roll call vote, the **motion** passed unanimously (5-0).

Motion made by Ms. Fertig, seconded by Mr. Ganon, to recommend approval of Case Number UDP-Z22005, based on the findings of fact in the Staff Report and the testimony heard tonight. In a roll call vote, the **motion** passed unanimously (5-0).

Motion made by Ms. Fertig, seconded by Mr. Ganon, to recommend approval of Case Number UDP-Z22007, based on the findings of fact in the Staff Report and the testimony heard tonight. In a roll call vote, the **motion** passed unanimously (5-0).

Motion made by Ms. Fertig, seconded by Mr. Rotella, to recommend approval of Case Number UDP-Z22008, based on the findings of fact, the Staff Report, and the testimony heard tonight. In a roll call vote, the **motion** passed unanimously (5-0).

Motion made by Ms. Fertig, seconded by Mr. Rotella, to recommend approval of Case Number UDP-Z22010, based on the findings of fact in the City Staff Report and the testimony heard tonight. In a roll call vote, the **motion** passed unanimously (5-0).

Motion made by Ms. Fertig, seconded by Mr. Rotella, to recommend approval of Case Number UDP-Z22011, based on the findings of fact in the Staff Report and the testimony heard tonight. In a roll call vote, the **motion** passed unanimously (5-0).

Motion made by Ms. Fertig, seconded by Mr. Rotella, to recommend approval of Case Number UDP-Z22012, based on the findings of fact in the Staff Report and the testimony heard tonight. In a roll call vote, the **motion** passed unanimously (5-0).

Motion made by Ms. Fertig, seconded by Mr. Rotella, to recommend approval of Case Number UDP-Z22013, based on the findings of fact in the Staff Report and based on the testimony heard tonight. In a roll call vote, the **motion** passed unanimously (5-0).

~~**12. CASE:** UDP-T22004~~
~~**REQUEST:** * Amending Section 47-10.10 - List of Permitted and Conditional Uses – Commerce Center (CC) District~~
~~**APPLICANT:** City of Fort Lauderdale~~
~~**GENERAL LOCATION:** Commerce Center (CC) District~~
~~**COMMISSION DISTRICT:** City-Wide~~
~~**CASE PLANNER:** Karlanne Grant~~

~~Karlanne Grant, representing Urban Design and Planning, advised that this Item requests amendment of Section 47-10.10, which is a list of permitted and conditional uses for the Commerce Center zoning district. This amendment would add a water treatment plant to the use table. A water treatment plant located more than 300 ft. from residential property would be permitted by right and would require Site Plan Level II/DRC review. A water treatment plant located within 300 ft. or less of a residential property would require a Conditional Use permit, which is Site Plan Level III or Planning and Zoning Board (PZB) approval.~~

~~There being no questions from the Board at this time, Chair Weymouth 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.~~

~~**Motion** made by Ms. Fertig, seconded by Mr. Rotella, to recommend approval of Case Number UDP-T22004: the Board hereby finds that the Text Amendments of the ULDR consistent with the Comprehensive Plan.~~

~~Ms. Fertig clarified that her **motion** would also include the following statement: based on the findings of fact in the Staff Report and the testimony heard from Staff.~~

~~In a roll call vote, the **motion** passed unanimously (5-0).~~

~~**13. CASE:** UDP-T22005~~
~~**REQUEST:** * Amending Section 47-6.12, - List of permitted and conditional uses, General Business (B-2) District and Section 47-6.13 List of permitted and conditional uses, Heavy Commercial/Light Industrial (B-3) District~~
~~**APPLICANT:** City of Fort Lauderdale~~
~~**GENERAL LOCATION:** General Business (B-2) and Heavy Commercial/Light Industrial (B-3) Districts~~
~~**COMMISSION DISTRICT:** City-Wide~~
~~**CASE PLANNER:** Karlanne Grant~~

Ms. Grant requested deferral of this Item to August 17, 2022.

Motion made by Mr. Barranco, seconded by Mr. Rotella, to defer to August 17 [2022]. In a roll call vote, the **motion** passed unanimously (5-0).

The following Item was taken out of order on the Agenda.

VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

Ms. Parker noted that the following presentation was in response to a request by the Board for additional information on the allocation of units. The request was made at the previous Board meeting.

Jim Hetzel, Principal Urban Planner, explained that there are different application types and approving bodies for units. The Downtown has both Regional Activity Center (RAC) and flex units, as it is located in a flex zone. The review process is different within the Downtown RAC depending upon what is in process: a request for RAC or flex units without deviations to a Site Plan would require Site Plan Level II, or DRC, review, subject to City Commission call-up. PZB approval is required within the Downtown RAC for projects abutting the New River, whether they are requesting RAC or flex units.

RAC units within the Northwest RAC are not subject to City Commission call-up; however, flex units are subject to this. RAC and flex units in the South RAC differ depending upon the project: if there are five or fewer units, the request is subject to Site Plan Level I, or administrative, review. This is addressed by Staff. If there are more than five units, the project is subject to City Commission call-up.

Flex units are not available on the Fort Lauderdale Beach or barrier islands except for two commercial nodes. The Uptown area has flex units only, depending upon whether or not the project meets all development standards and does not request any deviations. These requests are subject to Site Plan Level II review. A deviation request would come to the PZB.

Flex units in non-residential land use categories, such as corridors, must come to the PZB. These include mixed-use development and commercial flex acreage.

The flex unit chart sets aside a line item to address affordable housing. This is subject to Site Plan Level II review throughout the entire City. Mr. Hetzel confirmed that Site Plan submittal is required for any allocation of flex units and for RACs.

Mr. Barranco continued that the Board would like to have some idea of where units are located, including units that are already spoken for and/or in use as part of projects. He noted that this would also include units that projects may be "sitting on" and how long they have had these units, including extensions. Mr. Hetzel explained that the City must grant extensions under the existing state emergency extension process. He estimated

~~that most projects that have had flex allocations for some time have been built, mostly in the Downtown area. When the City unified flex zones into a single receiving zone, they included all RACs.~~

~~Mr. Barranco explained that he wished to understand where the City stands in relation to these allocations, as he understood there are some RACs that do not have available units at this time. Mr. Hetzel replied that there are three RACs eligible for flex units: the Downtown RAC has roughly 300 RAC entitlement units, based on changes that projects have gone through. He cited the example of a project that did not use the full amount of their allocation granted upon original approval: the unused units went back into the pool of available units. The South RAC has fewer than 200 units, and the Northwest RAC has approximately 3500 RAC units. Flex units are permitted to be used anywhere within the RACs and along corridors.~~

~~Mr. Hetzel added that while there are some projects throughout the City that have received extensions, it would take some time to compile this information for the Board if they are requesting it. This request would need to come through the City Commission, as it would involve a significant amount of work for Staff. Some of this information in RACs is retained in RAC tables.~~

~~Mr. Barranco continued that he also wished to understand the history of unit allocations, recalling that at one time, the South, Downtown, and Northwest RACs had their own units. Mr. Hetzel noted that this may have been related to the Land Use Plan Amendment process: when the City's Land Use Plan is amended, an analysis of public infrastructure and services is required, including schools, affordable housing, parks and recreation, and other elements. This may have limited the number of units available in some RACs, as the requirements for mitigation may have been an issue.~~

~~Mr. Rotella requested clarification of the proper way to ask the City Commission to direct Staff to provide additional information. He also asked if the available units include affordable housing units, or if these are a separate pool of units. Mr. Hetzel replied that if the Board wishes Staff to conduct additional research into this topic, they would need to send a communication to the City Commission asking the Commission to direct Staff to undertake that effort. With regard to affordable units, he explained that affordable units are tied to flex tables, which include a "set-aside" amount of roughly 1700 units that are available to an affordable housing developer who wishes to build a project on commercial land use somewhere in the City. The affordable units would be pulled from this table.~~

~~Mr. Hetzel continued that Staff has recently presented affordable housing efforts to the Board, which subsequently went before the City Commission for first reading. This included bonuses and incentives tied to affordable housing. The set-aside units are different, and were created for Downtown because the City did not have its own affordable housing policy at the time of that Land Use Plan Amendment process.~~

~~Because it was necessary to address the topic of affordable housing, the City determined to set aside 15% of the 5000 units in the Downtown area.~~

~~Ms. Fertig commented that a chart reflecting the numbers of units available in different areas would be helpful. Mr. Hetzel advised that he could clarify how many units remain, as the City has few flex units remaining and may have none left after the next three to four months as more applications are received. The City has requested its final release of approximately 1300 flex units from the Broward County Planning Council. Once there are no more flex units available, applicants will be notified and may be placed on a waiting list for any units that become available if another project expires.~~

~~Chair Weymouth suggested that the Planning Department create a comprehensive schedule reflecting the variety of units available throughout the City. Mr. Hetzel noted that a flex table tracking policies related to both commercial and residential flex units, as well as affordable units, is available. RAC tables can also be provided to the Board. There is currently no City-wide table showing available residential units outside RACs. Ms. Fertig proposed that Staff email the existing tables to the Board members.~~

~~Mr. Hetzel requested clarification of the Board's goal, such as determining what type of residential development is available throughout Fort Lauderdale. Chair Weymouth stated that he would like to see how many units remain "in the pool," as well as which projects are currently moving through the pipeline and the units they are requesting. Mr. Hetzel confirmed that the City is running out of units and will eventually have to inform developers that no more units remain. In that case, the applicants' options would include the County's Geller Amendment, which addresses affordable housing units as well as density. The County did not, however, establish a number of these units, and the City is working to address this through Code.~~

~~Chair Weymouth asserted that he felt under-informed with respect to voting on some of the items that come before the Board, and would like additional information. He acknowledged that this request would need to go before the City Commission. Mr. Hetzel reiterated that there are tables that can be provided to the Board members, although additional information would require Commission direction.~~

~~Mr. Barranco commented that Staff seems to already know a great deal of the desired information. He added that he did not wish to ask the City Commission to provide direction to Staff, as he believed the Board is within its authority to direct Staff. Ms. Parker explained that Staff can provide data to the Board in the form of the tables and charts referenced during tonight's discussion. If the Board wishes to see additional analysis of this information, Staff would require policy direction from the Commission.~~

~~Mr. Barranco stated that he felt this information should be provided to the Board "in some standard measure" without the Board having to ask for it. Ms. Parker pointed out that this information is provided to the Board as part of the Staff Reports with respect to the projects that come before them.~~

~~Attorney Spence further clarified that Staff tracks flex units, Downtown units, and other information that can be provided to the Board; however, an overall density report for the City, including the full number of units in use, would be a much larger task and would take significantly more time to compile, as it would measure every residential parcel within the City and determine the number of units that are available for those parcels. This would be more of an in-depth study.~~

~~Attorney Spence continued that the quasi-judicial process outlines the condition and criteria that the Board must consider when granting applications for development permits. He cautioned that additional information to which the Board members have referred are not part of these required criteria. He agreed with Ms. Parker that the information needed to make determinations on applications is provided to the Board members in each case that comes before them, and concluded that using other information when approving or denying applications would not be appropriate.~~

~~Ms. Fertig advised that that she would like to know how many and what type of units remain. Mr. Barranco added that he was not comfortable with the number and type of units not being known to the Board in its capacity as Local Planning Agency (LPA). He reiterated that he felt the Board has the right to direct Staff to provide them with more information. Attorney Spence stated once more that Staff would provide the Board members with tables reflecting additional information.~~

~~Mr. Rotella asked if an applicant meeting the criteria of the Geller Amendment would draw its affordable housing units or market rate units from a pool. Mr. Hetzel replied that there is no pool of units related to the Geller Amendment to draw from at this time. He further clarified that when a project must rezone a portion of the subject property to CB zoning because the underlying Land Use is Residential, this results in a commercial flex allocation: the developer is proposing commercial use of residential land.~~

~~Attorney Spence advised that the Broward County Board of County Commissioners has adopted a Land Use Plan for the entire County which specifies how much residential, commercial, industrial, or other density or acreage is available within a certain area. This is reflected in the Land Use designations throughout the County. These designations also exist for the City of Fort Lauderdale, which adopts its own map. The City may not establish greater density within these areas, although they may establish lesser density. When they lower the density or intensity of a specific area, they are allocated additional units known as flex units, as well as flex acreage. The City may vary from the County's commercial acreage or residential density as long as it does not exceed the County's permitted density. Commercial flex units are a mechanism that allows the City to move commercial acreage from one part of the City to another.~~

~~It was determined that the Board members would review the charts to be provided to them by Staff and then decide whether or not they wished to ask the Commission for more information. Mr. Rotella requested that these charts be provided in advance of the~~

~~next Board meeting so the members have an opportunity to review them and prepare any questions they may have. Ms. Parker confirmed that the charts would be emailed to the Board members before their next meeting.~~

V. COMMUNICATION TO THE CITY COMMISSION

Motion made by Ms. Fertig, seconded by Mr. Ganon, commending the Planning Staff and Parks Department Staff for all the work done so far on rezoning properties to parks, and the work they will be doing in the future. They've done a great job in a short time. In a voice vote, the **motion** passed unanimously.

There being no further business to come before the Board at this time, the meeting was adjourned at 7:50 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.]