



CITY OF FORT LAUDERDALE

**PLANNING AND ZONING BOARD MEETING MINUTES
CITY HALL COMMISSION CHAMBERS
100 N. ANDREWS AVE., FORT LAUDERDALE, FLORIDA 33301
WEDNESDAY, NOVEMBER 16, 2022 – 6:00 P.M.**

Board Members	June 2022 – May 2023		
	Attendance	Present	Absent
Michael Weymouth, Chair	P	6	0
Brad Cohen, Vice Chair	P	4	2
John Barranco	P	6	0
Mary Fertig	P	6	0
Steve Ganon	P	6	0
Shari McCartney	P	3	3
Patrick McTigue	P	4	0
William Rotella	P	5	1
Jay Shechtman	P	5	1

Staff

D'Wayne Spence, Assistant City Attorney
Shari Wallen, Assistant City Attorney
Jim Hetzel, Principal Urban Planner
Tyler Laforme, Urban Design and Planning
Adam Schnell, Urban Design and Planning
Lorraine Tappen, Urban Design and Planning
Cija Omengebar, Central City CRA Planner
Dr. Nancy Gassman, Assistant Director of Public Works
Leslie Harmon, Recording Secretary, Prototype, Inc.

Communication to City Commission

Vice Chair Cohen recommended that the Board send a communication to the City Commission to have all Board members sit at the dais. The Board members voted to approve this suggestion by unanimous voice vote (9-0).

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Weymouth called the meeting to order at 6:02 p.m. and the Pledge of Allegiance was recited. The Chair introduced the Board members present.

Chair Weymouth requested that the four Board members currently seated at tables be permitted to return to the dais for future meetings.

II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM

Motion made by Mr. McTigue, seconded by Ms. McCartney, to approve. In a voice vote, the **motion** passed unanimously.

III. PUBLIC SIGN-IN / SWEARING-IN

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

Motion made by Mr. Schechtman, seconded by Mr. McTigue, to include Staff recommendations, where applicable, on Agenda Items instead of reading each one each time. In a voice vote, the **motion** passed unanimously.

IV. AGENDA ITEMS

Index

Case Number

Applicant

- | | |
|--------------------|-------------------------------|
| 1. UDP-S22021** | P & S Hospitality Corporation |
| 2. UDP-Z22019 * ** | SJC Sistrunk, LLC |
| 3. UDP-Z22017* | City of Fort Lauderdale |
| 4. UDP-L22004* | PFL VII, LLC |
| 5. UDP-L22003* | PFL VII, LLC |
| 6. UDP-T22010* | 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-S22021

REQUEST: ** Site Plan Level III: Parking Reduction for 124-Room Hotel

APPLICANT: P & S Hospitality Corporation

AGENT: Steven Tilbrook, Esq., Akerman, LLP.

PROJECT NAME: Staybridge Suites

PROPERTY ADDRESS: 1515 SW 26th Street

ABBREVIATED LEGAL DESCRIPTION: Osborne Park 22-34 B Lot 19 and 20
West 1/2 Blk 2

ZONING DISTRICT: General Business (B-2)

LAND USE: Commercial

COMMISSION DISTRICT: 4 – Ben Sorensen

NEIGHBORHOOD ASSOCIATION: River Oaks Civic Association

CASE PLANNER: Tyler Laforme

Disclosures were made at this time.

Steven Tilbrook, representing the Applicant, showed a PowerPoint presentation on the Item, which includes seven parcels on 1.567 acres with an existing hotel and five legal nonconforming residential projects. The site's zoning is B-2, with a land use of Commercial. Permitted uses include retail, hotel, and mixed use. The maximum building height is 150 ft.

The requests before the Board are a parking reduction and confirmation of adequacy as part of Site Plan Level III review. The proposed project is a 124-room port/airport hotel with 85 parking spaces, which triggers the parking reduction requirement.

Mr. Tilbrook showed photos of existing conditions on the site. The proposed project has been designed around a number of trees on the site, which necessitated the parking reduction. He also showed renderings of the eight-story project, which includes some on-street parking.

The project's Site Plan has been approved by the City's Development Review Committee (DRC), complies with land use and zoning requirements, and meets adequacy requirements. Mr. Tilbrook described the project as a limited-service hotel which provides parking on-site and has landscape buffers to the north and west.

The Applicant's parking reduction analysis was performed by Kimley-Horn and Associates in accordance with methodology approved by City Staff and consultants. While the requirement for a 124-room hotel is 124 parking spaces, there are mitigating factors, including the project's use as a port/airport hotel which primarily serves customers of those two facilities. An on-site shuttle provides regular trips to and from the airport, and a third-party service performs this function to and from the port.

Mr. Tilbrook continued that this type of hotel has an enhanced use of ride-sharing services. Six parking spaces which are not included in the Applicant's parking counts are being constructed on the street. This count includes the Urban Land Institute (ULI) shared parking analysis for business/hotel. The ride share analysis is incorporated into a 5% reduction approved by City Staff, based upon a conservative adjustment. While the maximum number of rooms occupied at one time was determined to use 84 parking spaces, the Applicant proposes 85 parking spaces on-site and six additional spaces in the right-of-way.

The Applicant's consultant has determined that the proposed hotel will meet the criteria established in Code for a parking reduction. Staff concurs with this conclusion.

The Applicant has also conducted significant public participation, meeting with the River Oaks neighborhood more than once. This neighborhood's association has provided an email reflecting their non-opposition to the project. The Applicant has also met with their adjacent neighbors and has reached out to other neighborhood associations.

Vice Chair Cohen asked how many employees the hotel expects to have and where they will park. Mr. Tilbrook replied that there will typically be 15 to 20 employees during the day, when there is the least usage of parking by guests. Hotel guests are expected to arrive at approximately 4 p.m. or later. There will be roughly three employees on-site in the evenings, which is the peak parking time for guests.

Vice Chair Cohen requested clarification of the analysis of airport usage of the property, as well as an overview of how airport hotels are used. Chris Heggen of Kimley-Horn and Associates, also representing the Applicant, explained that the parking analysis took employee parking demand, which peaks during the day, into consideration. Most employees leave at the end of the day when guests are arriving.

Mr. Heggen continued that the analysis also took a 5% reduction to account for ride-sharing and shuttle use. He noted that with proximity to Port Everglades, many guests fly into Fort Lauderdale and stay for one to two days before boarding a cruise ship, which means they are less likely to rent a car.

Vice Chair Cohen asked if other hotels located near the port and airport have received similar parking reductions. Mr. Heggen confirmed that the requested reduction is consistent with the reduction received by other hotels Kimley-Horn has assessed.

Ms. McCartney asked what percentage of cruise and airline passengers are expected to use the hotel, and how this percentage was determined. Mr. Heggen replied that this is difficult to predict, although it is expected to be a significant amount of patronage. He added that the use of ride-sharing services is becoming more prevalent for guests who do not want to rent a car.

Mr. Tilbrook advised that his client has indicated roughly 40% to 50% of hotel guests between November and June are airport guests. This is inclusive of spring break season. The percentage of occupancy also increases during this time frame.

Mr. Shechtman asked how parking would be managed during afternoon guest check-in when several employees may still be on-site. Mr. Heggen clarified that the influx of guests begins at approximately 4 p.m. and continues throughout the evening. He also pointed out that the on-street parallel parking spaces are not counted toward the site's parking requirement, but are expected to serve the hotel, as there are no other uses nearby that would be likely to use these spaces. He characterized the on-street parking as a buffer.

Mr. Shechtman asked for the Applicant's plan to manage parking when there are more guests and greater need for parking at the hotel than spaces available. Mr. Tilbrook stated that many of the hotel's employees do not have cars, and are expected to use either public transportation or a shuttle that serves multiple hotels. In addition, the hotel has relationships with nearby businesses on which employees may park off-site when necessary.

Ms. Fertig observed that access to the area appeared problematic. Mr. Tilbrook explained that access is provided from the east, while egress is only available from the west and onto State Road (SR) 84. Mr. Heggen added that the Florida Department of Transportation (FDOT) limits access onto SR 84: their design requires drivers to make a right turn, followed by a U-turn or loop to move in the other direction. He concluded that this is the only option due to safety considerations.

Mr. Barranco commented that the Applicant's traffic analysis is based on the Institute of Transportation Engineers (ITE) manual, which is a nationally recognized source, to bring the proposed parking reduction down to 88 spaces. The further reduction due to proximity to the airport only garnered a reduction of four additional spaces. He felt this was sufficient to meet "the spirit of the Code."

Mr. Tilbrook clarified that the ITE manual was used to bring the number of spaces down to 85, not including any ride-sharing or shuttle parking. The additional four spaces were added by the 5% reduction, which lowered the number of spaces to 84. The Applicant proposes to provide 85 spaces, not counting the parallel spaces on the street.

Chair Weymouth asked what ancillary services are provided on-site, such as dining or meeting space options. Mr. Tilbrook replied that the facility will have a breakfast room and a business center, but no meeting space. The hotel will also have a pool. There are no amenities that would attract non-guests to the site, such as a bar or restaurant.

Mr. Rotella asked how landscaping in the right-of-way would be maintained. Mr. Tilbrook replied that this will be maintained through a license agreement with the Applicant, who will install the landscaping.

There being no further 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 Mr. Shechtman, seconded by Mr. McTigue, to approve Case Number UDP-S22021 with Staff conditions of approval, as the request meets the guidelines under the ULDR. In a roll call vote, the **motion** passed 9-0.

2. CASE: UDP-Z22019

REQUEST: * ** Rezoning from General Industrial (I) District to Northwest Regional Activity Center – Mixed Use west (NWRAC-MUw) District

APPLICANT: SJC Sistrunk, LLC

AGENT: Sean Jones

PROPERTY ADDRESS: 615 NW 8th Avenue

ABBREVIATED LEGAL DESCRIPTION: Progresso 2-18 D Lot 15 To 21 Blk 328

ZONING DISTRICT: Industrial (I) District

PROPOSED ZONING DISTRICT: Northwest Regional Activity Center – Mixed Use west (NWRAC-MU) District
LAND USE: Northwest Regional Activity Center
COMMISSION DISTRICT: 2 – Steven Glassman
NEIGHBORHOOD ASSOCIATION: Progresso Village Civic Association
CASE PLANNER: Adam Schnell

Disclosures were made at this time.

Sean Jones, representing the Applicant, stated that the request is for rezoning of a property from Industrial (I) to Northwest Regional Activity Center – Mixed Use west (NWRAC-MU) within the Progresso Village neighborhood. This rezoning is consistent with other rezoning that has occurred throughout the neighborhood.

Mr. Jones showed views of the subject area, pointing out that the proposed rezoning is consistent with the underlying land use of Northwest Regional Activity Center (RAC). Lots adjacent to the subject parcel have been rezoned to NWRAC-MU. The Applicant's analysis of the proposal is included in the Board members' backup materials. Staff has recommended approval of the request.

The Applicant has met with the appropriate neighborhood association, as well as the Progresso Village Civic Association, which provided a letter of support for the rezoning request.

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 Vice Chair Cohen, to recommend approval of Case Number UDP-Z22019, based on the findings of fact in the Staff Report and the testimony. In a roll call vote, the **motion** passed 9-0.

3. CASE: UDP- Z22017

REQUEST: * Rezone from Residential Single Family/Medium Density (RDs-15) District to Residential Multifamily Low Rise/Medium Density (RM-15) District

APPLICANT: City of Fort Lauderdale

GENERAL LOCATION: Powerline Road\NW 9th Avenue to the West, NW 16th Street to the North, NW 7th Avenue to the East, and NW 13th Street to the South

ABBREVIATED LEGAL DESCRIPTION: Progresso Plat Book 2, Page 18, Block 25-27, 69-74

ZONING DISTRICT: Residential Single Family/Medium Density (RDs-15) District

PROPOSED ZONING DISTRICT: Residential Multifamily Low Rise/Medium Density (RM-15) District

LAND USE: Medium Residential

COMMISSION DISTRICT: 2 – Steven Glassman
NEIGHBORHOOD ASSOCIATION: South Middle River Civic Association
CASE PLANNER: Lorraine Tappen

Disclosures were made at this time.

Mark Alvarez of the Corradino Group, consultant for the Central City Community Redevelopment Agency (CRA), showed a PowerPoint presentation on the Application. This group is handling rezoning for the entire Central City CRA, which is divided into three phases but constitutes a single project. The intent of this project is to stimulate redevelopment using zoning Code to provide additional value on all parcels of property to be rezoned. A text and map amendment will come before the Board in January 2023.

The request is for a map amendment to change zoning in the northwest quadrant from RDS-15 to RM-15. The density will not change, as both zoning districts permit 15 units per acre and are controlled by the City's Land Use Plan. The intent is to allow for greater latitude in housing types. RDS-15 allows only single-family dwellings, while RM-15 would allow multi-family dwellings, town homes, and attached duplexes.

Mr. Alvarez explained that the subject area is the only part of the Central City CRA located north of 13th Street, where there are blighted conditions that need to be addressed through zoning Code. The boundaries of the area are 16th Street, 13th Street, Powerline Road, and 7th Avenue. The purpose of the rezoning is to add value to properties, which will stimulate redevelopment, protect the neighborhood from blighted conditions, improve the public realm, and introduce a number of site performance standards for landscaping, drainage, parking, and other aspects.

The proposed rezoning will change the uses allowed in the subject area, which focuses on NW 8th Avenue between 13th and 16th Streets. Mr. Alvarez described this as a blighted area, with buildings and streets that have not been kept up and front parking without a curb and gutter. Conditions are similarly stressed along Powerline Road, where there is single-family development in this high-traffic area.

The Applicant has gone through the public outreach process for both NW 8th Avenue and Powerline Road, as well as with the Central City Redevelopment Advisory Board (CCRAB). There was agreement that extending RM-15 zoning throughout the area would increase property values. The buildings along NW 8th Avenue currently have disincentives to development, as they are grandfathered in under Code. Most of these are multi-family buildings which, if redeveloped, would be required to be rebuilt as single-family development, decreasing the number of units permitted.

In addition to changing from RDS-15 to RM-15 zoning, the City felt it would be a positive step to improve the menu of options into which properties could be redeveloped. This would not require an increase in density, but would allow for developments such as cluster homes, zero lot lines, duplexes, town homes, and multi-family projects. Some

conditional uses not currently allowed in RDS-15 districts, such as bed-and-breakfasts, mixed-use development, and social service facilities, would also be permitted.

Mr. Alvarez emphasized that there is no difference between the bulk, setbacks, or height of buildings in the RDS-15 and RM-15 zoning districts. Everything will remain the same except the minimum lot size requirement, which will change from 6,000 sq. ft. for a single-family dwelling to 5,000 sq. ft. for a single-family dwelling or a duplex. This would allow for the same number of units to be achieved without affecting neighborhood compatibility.

The proposed project is Phase 1 of a three-phase plan, and requests a map amendment without an accompanying text amendment. The Applicant met with the CCRAB on November 5, 2022, as well as a public participation meeting on October 11th. If the Item is approved, it will go before the City Commission for first reading in December and second reading in January 2023.

Ms. Fertig noted that there are two under-enrolled schools within the subject area, and asked if the City anticipates more families with children moving into the neighborhoods once zoning has been changed. Mr. Alvarez replied that the development community's response to the rezoning is difficult to anticipate; however, market-rate multi-family housing could result in more families relocating to the area due to an increased perception of safety once its appearance has improved.

Mr. Barranco requested additional information on the phased project. Mr. Alvarez explained that a portion of the Central City CRA extends to Sunrise Boulevard. The area will come before the Board as a proposed mixed-use district in the coming months, with the intent of stimulating development and protecting neighborhoods. A third phase of the project will include a Land Use Plan Amendment to increase density, which is a longer process.

Mr. Rotella asked if the extension to Sunrise Boulevard includes only residential parcels. Mr. Alvarez replied that the mixed-use district, which would extend from 11th Avenue to Sunrise Boulevard, would include residential development in order to create a transitional area.

Principal Urban Planner Jim Hetzel added that the boundaries of the Central City CRA are included in the members' backup materials as Exhibit 3.

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

Ray Thrower, chair of the CCRAB, stated that this redevelopment has been underway for over 10 years, and agreed with Mr. Alvarez's assessment that properties in the area need to be upgraded but have had no incentives to do so. He felt the proposal would have a positive effect on the area.

Edward Catalano, secretary of the South Middle River Civic Association and member of the CCRAB, advised that the area the Board is asked to vote upon does not include the area extending toward Sunrise Boulevard, but only the northwest quadrant of the Central City CRA. He felt the zoning change would encourage investors to improve the area, which is currently blighted.

Dwight Stewart, private citizen, asked how changing from single-family to multi-family zoning would not increase the density of the community. Mr. Alvarez explained that the number of units permitted per acre is controlled by the City's Comprehensive Plan rather than by zoning. The property is currently zoned RDS-15, which permits up to 15 units per acre, as does RM-15. The Comprehensive Plan also permits 15 units per acre, which cannot be exceeded.

Mr. Alvarez continued that it is unlikely the parcels in this area would be able to build to 15 units per acre due to the minimum lot size permitted in RDS-15. While the change would not change the density, it would allow lots in the area to approach their maximum density.

Mr. Barranco asked if there are duplexes, triplexes, and larger multi-family developments currently existing in the subject area. Mr. Alvarez confirmed that these are older buildings which could not have been constructed under RDS-15 zoning.

David Taxman, private citizen, advised that he owns a property in the subject area. He was in favor of the proposed rezoning as a means to stimulate upgrades in the area. He was also in favor of increased density to provide more housing for residents.

Charles Lightner, private citizen, stated that he also lives near the subject area. He agreed that the neighborhood is in need of improvement, but expressed concern with increased density, as he felt the area is currently saturated and prone to high traffic. He was not confident that properties would be improved under their existing ownership.

Newasann Sutherland, private citizen, stated that she also lives in the subject area. While she was in favor of improving the area, she expressed concern that the proposed rezoning might adversely affect current residents. She also pointed out that traffic is very congested in the area.

Dean Richards, private citizen, advised that he owns property in the subject area. He suggested that a fuller presentation could ensure the public knows what kinds of changes could result from the rezoning, as he was currently not certain the proposal was right for the community. He also expressed concern for the area's two schools, which have limited enrollment. He was not in favor of the proposed rezoning.

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. Shechtman commented that he understood the CRA's desire to revitalize the area and provide a transitional zone between the residential community and a major corridor; however, he did not feel the proposed RM-15 rezoning would be compatible with the character of the surrounding neighborhood. He noted that RM-15 zoning might be appropriate for a three-block area along Powerline Road, while the rest of the area might be better served by a change to RD-15, which would allow developers to build new projects in a community-oriented setting.

Ms. Fertig asserted that she was concerned with zero lot line buildings, which can lead to concerns from neighbors regarding the proximity of buildings to one another, as well as their effect on green space. She asked why these units were being considered.

Lorraine Tappen, representing Urban Design and Planning, advised that zero lot lines are one of many available uses in the RM-15 district. There are specific landscaping and architectural criteria for each of the types of development described. She clarified that the City is not encouraging any one type of development, but is providing a range of possibilities that may incentivize property owners to redevelop.

Ms. Fertig also observed that the subject neighborhood has existing old-growth trees which could be negatively affected if several properties opted for zero lot line developments. She asked if there was a way to provide an incentive for redevelopment without a zero lot line option. Mr. Shechtman pointed out that the RD-15 zoning district does not permit zero lot line developments.

Mr. Ganon asked how the change to RD-15 zoning would affect the district. Mr. Shechtman replied that the significant difference would be to the required lot size, which would be 6,000 sq. ft. under RD-15 rather than 5,000 sq. ft. under RM-15.

Vice Chair Cohen stated that he has heard feedback from the affected neighborhood and understands residents' concerns with blighted areas and desire for change. He was not certain, however, whether or not the proposed solution will be the correct one in the long term. He felt the compromise proposed by Mr. Shechtman, which would change some zoning to RD-15 rather than RM-15, would achieve what the community hopes to accomplish.

Ms. Fertig asked if Mr. Shechtman was suggesting the entire area be made RD-15. Mr. Shechtman replied that of the nine blocks in question, he suggested that the three blocks along Powerline Road be changed to RM-15 as requested, while the remaining six blocks would be rezoned RD-15, which would allow for the construction of single-family homes or duplexes. Ms. Fertig reiterated her concern for the potential loss of green space in the proposed RM-15 blocks.

Ms. Fertig also requested additional information on the presentation made to the affected community, including homeowners' groups. Cija Omengabar, Central City CRA Planner, advised that this project began in 2018 when a number of public workshops were held to determine the area of focus. Many residents expressed concern with the

CRA's northwest quadrant. She requested clarification that instead of rezoning the entire area RM-15, the Board is recommending RD-15 zoning in most of the area, with a portion of RM-15.

Ms. Omengebar continued that the CRA Board also arrived at this conclusion during the past six to twelve months; however, many individuals were upset and reached out to the Central City CRA to indicate the rezoning did not go far enough. As a result, it was determined that one portion of the area would be rezoned from RDs-15 to RD-15, but this was also considered insufficient by residents. After further discussions between CRA Staff and the City's Planning Department, it was determined that RM-15 provides greater opportunity to incentivize property owners to improve their properties. The public was more receptive to this option.

Mr. Shechtman explained that his intent was to suggest allowing greater density so the area could be redeveloped in an economically viable manner. With RDs-15, these owners would only be able to build single-family homes, while RD-15 or RM-15 could allow for more than one home to be built on a 6,000 sq. ft. parcel. He felt this would allow revitalization that is more consistent with the character of the surrounding neighborhood, as RM-15 could result in the construction of walls and creation of a less walkable neighborhood.

Ms. Fertig asked if community meetings were held with the Central City CRA, or with affected neighborhood associations. Ms. Omengebar replied that the concepts have never been presented to neighborhood associations: instead, Staff invited residents to attend CCRAB meetings. The public meetings sought to accommodate a 6 p.m. time frame so working residents would be able to attend. Special meetings were also held at night in order to bring in as many residents as possible.

Ms. Fertig expressed concern that there could have been more conversations with residents of individual neighborhoods before proposing the change that is now before the Board. Ms. Omengebar advised that letters were sent to residents of the affected neighborhood, as well as those who live in a 300 ft. radius from the subject area, as required. She acknowledged that the COVID-19 pandemic has affected the level of public engagement.

Ms. Tappen advised that when public participation meetings were scheduled earlier in the process, there had been significantly higher attendance; however, the recent meeting to notify residents within range of the proposed rezoning had approximately 15 residents in attendance. She added that she had attended a recent South Middle River Neighborhood Association meeting via Zoom to review some of the proposed changes. She concluded that outreach on this effort has been significant.

Mr. Barranco commented that the suggestion of RD-15 zoning might not alleviate all the Board's concerns regarding zero lot line developments. He felt the option of townhouse development could offer more flexibility for redevelopment, and that the CRA might

need to pursue a Planned Unit Development (PUD) if they wished to eliminate the possibility of zero lot lines.

Mr. Shechtman reiterated that his suggestion would accomplish the CRA's goal of incentivizing redevelopment, as it would provide one-third of the requested zoning and two-thirds of a zoning district that would also provide a mechanism for potential revitalization. He felt the difference in the two districts is that RM-15 carries the risk of allowing cluster developments, while he felt RD-15 would better preserve the integrity and character of the neighborhood.

Motion made by Mr. Shechtman on Case Number UDP-Z22017, that we approve the request with the Staff conditions included, with the modification that on the legal description of the properties, Plat Book 2 page 18, the blocks 25, 71, and 72 would be RM-15 and blocks 26, 70, 73, 27, 69, and 74 would be RD-15.

Assistant City Attorney D'Wayne Spence advised that in accordance with the ULDR, the Board may suggest more restrictive zoning; however, the Applicant must consent to this suggestion. If the Applicant does not consent, the Board must deny the rezoning request. It was determined that the entity representing the Applicant would be the appropriate party to accept or decline the **motion**.

Ms. Omengabar advised that she did not feel she had the authorization to make this decision for a City project. Attorney Spence explained that this would mean the **motion** was not accepted by the Applicant.

Mr. Barranco advised that the Applicant may want to use the time of the proposed deferral to have additional conversations with the public. Ms. Omengabar suggested that a 60-day deferral would provide sufficient time to have these discussions. She reminded the Board that the project is broken into three phases, with the second phase expected to come before the Board in February 2023.

Motion made by Mr. McTigue, seconded by Ms. Fertig, that we move to defer Item Number/Case Number UDP-Z22017 to the date certain of January 18, 2023.

Mr. Barranco asked why the project is coming before the Board in phases rather than all at once, which would allow the Board to see the proposed growth pattern for the area. Ms. Omengabar replied that the project has received significant criticism, adding that the proposed change of the northwest quadrant to RM-15 is an easier change than the pending change to the mixed-use district in the Sunrise Boulevard area. The first phase was brought forward to demonstrate progress on a portion of the project.

Attorney Spence added that the complete project includes a comprehensive review of the Central City CRA, and therefore includes different processes for different types of rezonings and other changes. The project is broken up into phases in order to present these changes as separate items.

In a roll call vote, the **motion** passed 9-0.

Mr. Barranco asked when Staff anticipated bringing the third phase of the Central City rezoning project before the Planning and Zoning Board. Ms. Omengebar replied that the third phase will include a Land Use Plan Amendment, which will require the solicitation and hire of a consultant firm to assist Staff. This phase will not begin until the two previous phases have been approved by the City Commission.

Attorney Spence advised that Items 4 and 5 are distinct Items and would require separate votes. It was recommended that Item 5 be heard prior to Item 4.

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

5. CASE: UDP- L22003

REQUEST: * Amend City of Fort Lauderdale Comprehensive Plan Future Land Use Map Designation from Medium-High Residential (25) to Mixed Use – Residential High (60)

APPLICANT: PFL VII, LLC.

AGENT: Nectaria Chakas, Esq., Lochrie & Chakas, P.A.

PROJECT NAME: Aura Cypress Creek LUPA

PROPERTY ADDRESS: 400 Corporate Drive

ABBREVIATED LEGAL DESCRIPTION: Shell At I-95, Plat Book 102 Page 25 B

ZONING DISTRICT: R-6 - County

EXISTING LAND USE: Medium-High Residential (25)

PROPOSED LAND USE: Mixed Use – Residential High (60)

COMMISSION DISTRICT: 1 – Heather Moraitis

NEIGHBORHOOD ASSOCIATION: N/A

CASE PLANNER: Lorraine Tappen / Deandrea Moise (Assisting)

Disclosures were made at this time.

Nectaria Chakas, representing the Applicant, explained that this request is for a map amendment. She showed visuals of the subject site, which is the surface parking lot of a 298-room hotel with accessory space. Because this parking lot is underused, the hotel hopes to sell this property to the Applicant, who is under contract to purchase it for a mixed-use project.

The general area surrounding the parcel was previously an unincorporated portion of Broward County, which was annexed into Fort Lauderdale in the 1980s or 1990s. Most of the area remains under County zoning. The Applicant's team has reached out to the nearby North Andrews Avenue neighborhood as well as the city of Oakland Park, neither of whom objected to the Application. The total site area is 6.6 net acres and 6.8 gross acres.

The City's ULDR allows applicants to request Land Use Plan Amendments as either map or text amendments. The Applicant proposes both. Item 5 requests a change to the property's Future Land Use map designation. The current Future Land Use category is Residential Medium-High 25 (RM-25), which permits 25 units per acre. This is considered to be low due to the site's proximity to mass transit, a Tri-Rail station, and the I-95 corridor. In order to continue to accommodate both the existing hotel and the new mixed-use project, the Applicant proposes to change to the City's Mixed-Use land use category, which has been in Fort Lauderdale's Comprehensive Plan for at least two to three years and has never been used.

As the Applicant sought to apply its Mixed-Use category to a specific parcel, it was determined that some items in that category's text required amendment in order to make them more current and consistent with both City zoning regulations and County designations. The Applicant proposes changing from RM-25 to Mixed-Use while also processing a County Land Use Plan Amendment so the two land use categories will match as best as possible.

Ms. Chakas reviewed the site's zoning and surrounding zoning designations. She showed a conceptual plan for the project, explaining that the Applicant is filing for a planned development zoning district for a 12-story mixed-use project with ground floor retail and 340 residential units. It will include green space, as well as public areas dedicated for park purposes through an easement. A conceptual plan was included in the members' backup materials to demonstrate how Mixed-Use design guidelines are met.

Mr. Shechtman asked how the removal of parking from the Westin Hotel would affect that business's compliance with parking requirements. Ms. Chakas explained that the Applicant proposes construction of a nine-story parking garage which will satisfy parking requirements for both the existing hotel and the new development. In addition, the requested rezoning will permit the Applicant to request an alternative parking ratio, and the Applicant may also be able to access cross-parking with surrounding office buildings, which are not crowded at night.

There being no further 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. Shechtman, to recommend approval of Case Number UDP-L22003, and hereby find the map amendments are consistent to change the land use designation to Mixed-Use. In a roll call vote, the **motion** passed 9-0.

4. CASE: UDP- L22004

REQUEST: * Amend City of Fort Lauderdale Comprehensive Plan Future Land Use Element – Update Mixed Use Land Use Designation and Floor Area Ratio

APPLICANT: PFL VII, LLC.

AGENT: Nectaria Chakas, Esq., Lochrie & Chakas, P.A.

PROJECT NAME: Update Mixed Use – Residential Future Land Use Designation

PROPERTY ADDRESS: Citywide

NEIGHBORHOOD ASSOCIATION: NA

CASE PLANNER: Lorraine Tappen / Deandrea Moise (Assisting)

Attorney Spence advised that disclosures were not necessary for this Item.

Ms. Chakas, again representing the Applicant, explained that this Item addresses the proposed text amendment, which includes the following:

- Addition of the intent and purpose of the Mixed-Use district
- Establishes a density of 50 units per gross acre, which is a reduction from 60 units per net acre in order to be consistent with County zoning as well as the City's PDD and Mixed-Use Ordinances
- Proposes a floor area ratio (FAR) of 3.0, which is greater than the current FAR of 2.5
- Strike-throughs of previously existing categories
- Proposes deletion of formulas for the Mixed-Use category
- Relocates and refines a number of provisions and removes redundancies

Ms. Chakas added that the PDD Ordinance is currently the only zoning category that can be used within the proposed land use category. She also pointed out that the density cap for the Mixed-Use category is very low.

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. McTigue, to recommend Case Number UDP-L22004 and find that the text amendment is consistent. In a roll call vote, the **motion** passed 9-0.

6. CASE: UDP-T22010

REQUEST: * Amend ULDR Section 47-19.3 Boat Slips, Docks, Boat Davits, Hoists and similar Mooring Structures; Create ULDR Section 47-19.13 Resiliency Standards for Tidal Flood Protection; Amend ULDR Section 47-39 Development Regulations for Annexed Areas

APPLICANT: City of Fort Lauderdale

GENERAL LOCATION: City-Wide

COMMISSION DISTRICT: City-Wide

CASE PRESENTER: Nancy J. Gassman, Ph.D. Assistant Director, Public Works

Dr. Nancy Gassman, Assistant Director of Public Works, explained that the Item was previously presented to the Board in October 2023. As part of the Planning and Zoning Board's charge as Local Planning Agency (LPA), they are asked to make recommendations to the City Commission as to the consistency of a proposal or ULDR amendment to the City's Comprehensive Plan.

Dr. Gassman advised that the City is seeking a determination of consistency with the Comprehensive Plan for three sections of the ULDR, which relate to boat slips and docks, as well as a new section which would establish resilience standards for tidal flood protection. The main intent of the proposed Ordinance is to adopt a regionally consistent standard for the minimum top elevation of tidal barriers. Broward County requires that all tidally influenced municipalities adopt standards which are consistent with Chapter 39 of the Broward County Code of Ordinances. The major change of the new regional standard requires a minimum seawall and top of bank elevation of 5 ft. by the year 2050.

The proposed Ordinance supports or specifically addresses three different sections of the Comprehensive Plan:

- The Ordinance would support the creation of a more resilient neighborhood which could adapt to climate change and sea level rise by requiring higher seawall elevations
- Section 4.2.3 of the Comprehensive Plan, which addresses coastal zone management, requires coordination with local partners to identify risks, vulnerabilities, and opportunities to address coastal hazards such as the impacts associated with sea level rise
- Policy 2.2.3 under the Comprehensive Plan's climate change element addresses the adoption of regionally consistent top elevation standards for seawalls, banks, and berms, described by Broward County as tidal barriers

Dr. Gassman emphasized that there is a significant need for this Ordinance, as in recent years, the City has experienced many high tides which exceeded the threshold for flooding. In 2019, for example, there were 170 such high tides, while through November 15, 2022, there have been 132. One of the ways to create a more resilient community is to require higher seawalls.

Dr. Gassman also recalled the effects of the recent Hurricane Nicole, pointing out that while the rain and wind associated with this storm were not significant, there was a significant storm surge. When the storm began, the ocean's level was approximately eight in. above the predicted height for tide, which increased to almost 2 ft. above during the storm.

Passing the proposed Ordinance will accomplish a number of the City's goals:

- Achieve compliance with the objectives and policies of the existing Comprehensive Plan
- Achieve compliance with Broward County's Comprehensive Plan

- Adjust the City's 2016 Seawall Ordinance to reflect the sea level rise projections adopted by the City Commission in 2020
- Support reduction of tidal flooding by ensuring that new seawalls are built for the conditions of the future as sea level continues to rise
- Contribute to improvement of community resilience

Dr. Gassman pointed out that Fort Lauderdale's compliance with Broward County's Comprehensive Plan affects the City's ability to request Land Use Amendments.

Dr. Gassman recalled that when this Ordinance was presented to the Board in October, Staff had already visited the City's Marine Advisory Board (MAB) twice, as well as the Rio Vista Homeowners' Association and the Council of Fort Lauderdale Civic Associations. The Board had directed Staff to perform additional community outreach. Since October, the proposed Ordinance was presented to the Council of Fort Lauderdale Civic Association's full membership. During this presentation, Staff offered to provide the same presentation to any homeowners' association which expressed interest. While the Council did not vote in support of the proposed Ordinance due to Hurricane Nicole, they will meet once more on November 28, 2022 to consider whether or not they wish to support the amendment.

The City's Sustainability Advisory Board (SAB), which reviews issues related to sea level rise, also saw a presentation on the proposed Ordinance in October 2023. They sent a communication to the City Commission in support of moving forward with the amendment. A presentation will be made to the Lauderdale Isles Civic Association on Thursday, November 17, 2022.

The City has received a letter of support from the Rio Vista Civic Association, as well as a letter from Broward County stating that the Ordinance is substantially compliant with their Ordinance. The MAB provided support for the Ordinance in September 2023, and the SAB sent their communication to the City Commission on October 24, 2022. A letter of support was also provided by Tyler Chappell, representing the marine construction industry. Mr. Chappell's letter confirmed that the Ordinance is consistent with the work this industry sees in the community and residents' desires to build higher seawalls.

Staff requests that the Planning and Zoning Board, in its capacity as LPA, find the proposed Ordinance to be consistent with the City's adopted Comprehensive Plan, specifically including Climate Change Policy 2.2.3, and recommend approval to the City Commission.

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. Ganon, to find the proposed amendments consistent with the City's adopted Comprehensive Plan, specifically Policy CC 2.2.3, and recommending the City Commission approval of the proposed amendments of the

City of Fort Lauderdale ULDR Sections 47.19.3, 47-19.13, and 47-39.A.1.b. In a roll call vote, the **motion** failed 4-5 (Chair Weymouth, Mr. Barranco, Mr. Cohen, Ms. McCartney, and Mr. Rotella dissenting).

V. COMMUNICATION TO THE CITY COMMISSION

Motion made by Chair Weymouth requesting the four Planning and Zoning Board members seated at the tables on the floor be seated at the dais with the rest of the Board for all future meetings. The Board members voted to approve this suggestion by unanimous voice vote (9-0). [No motion or second was made.]

VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

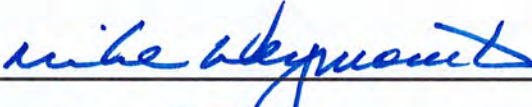
None.

VII. VOTE FOR 2023 PLANNING AND ZONING BOARD CALENDAR

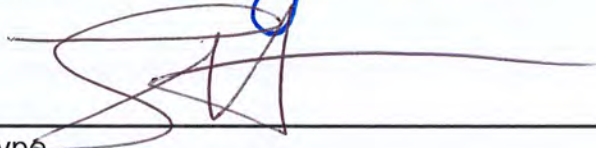
Chair Weymouth requested a voice vote to approve the 2023 Planning and Zoning Board calendar. The members voted to approve the document by unanimous voice vote (9-0). [No motion or second was made.]

There being no further business to come before the Board at this time, the meeting was adjourned at 8:24 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.]