



CITY OF FORT LAUDERDALE

**PLANNING AND ZONING BOARD MEETING MINUTES
CITY HALL COMMISSION CHAMBERS
100 N. ANDREWS AVE., FORT LAUDERDALE, FLORIDA 33301
WEDNESDAY, OCTOBER 19, 2022 – 6:00 P.M.**

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

Staff

Ella Parker, Urban Design and Planning Manager
D'Wayne Spence, Assistant City Attorney
Shari Wallen, Assistant City Attorney
James Hetzel, Principal Urban Planner
Trisha Logan, AICP, Principal Urban Planner
Michael Ferrera, Urban Design and Planning
Nicholas Kalargyros, Urban Design and Planning
Leslie Harmon, Recording Secretary, Prototype, Inc.

Communication to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Weymouth called the meeting to order at 6:00 p.m. and the Pledge of Allegiance was recited. The Chair introduced the Board and Staff members present.

II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM

Chair Weymouth requested a **motion** to approve the minutes of the September 21, 2022 meeting.

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

~~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 Mr. Shechtman, seconded by Ms. Fertig, to approve Case Number UDP-Z22013, as it meets the ULDR criteria.~~

~~In a roll call vote, the motion passed unanimously (7-0).~~

4. CASE: UDP-Z22016

REQUEST: ** Rezone 40,500 square feet of land from Residential Mid Rise Multifamily/Medium High Density (RMM-25) District to Northwest Regional Activity Center – Mixed Use East (NWRAC-MUe) District

APPLICANT: Water Tower Apartments, LLC.

AGENT: Jason Crush, Crush Law, P.A.

PROJECT NAME: Water Tower Apartments Rezoning

PROPERTY ADDRESS: 628 NW 3rd Avenue

ABBREVIATED LEGAL DESCRIPTION: PROGRESSO 2-18 D LOTS 37 THRU 48 INCL BLK 321

ZONING DISTRICT: Residential Mid Rise Multifamily/Medium High Density District (RMM-25)

PROPOSED ZONING DISTRICT: 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

CASE PLANNER: Nicholas Kalargyros

Disclosures were made at this time. Mr. Barranco recused himself from voting on the Item due to a conflict.

Jason Crush, representing the Applicant, stated that the request is to rezone a property currently zoned RMM-25 to Northwest RAC-MUe. The underlying land use for the subject area is Northwest Regional Activity Center (NWRAC).

A Land Use Plan Amendment was made for the entire area in the early 2000s to change the use to Regional Activity Center (RAC) in order to revitalize the area and foster redevelopment. In 2015, properties along Sistrunk Boulevard were rezoned to NWRAC-MUe to implement this Land Use Plan Amendment. An adjacent property to the west of the subject site was approved for rezoning by the Planning and Zoning Board in July

2022 and later by the City Commission. The City hopes to continue the trend of the Land Use Plan Amendment, the rezoning, and the Northwest Progresso-Flagler Heights Master Plan and its guidelines.

Mr. Crush showed a visual of the area's existing zoning, noting the zoning of surrounding parcels. He pointed out that there may be interest in further rezoning some existing Heavy Commercial and Industrial sites to Mixed-Use as well. The intent is to create a walkable area for residents who move into the subject neighborhood, as well as residents of the existing RMM-25 zoning district.

City Staff analyzed the Applicant's narrative and presentation and agreed that they meet the required criteria for rezoning, as reflected in the Staff Report. The change is consistent with the future land use and the City's Comprehensive Plan, which encourages revitalization of redevelopment areas. The site is located within the Northwest Community Redevelopment Agency (CRA).

The rezoning would not adversely affect the surrounding neighborhood, as it is aligned with the neighborhood's goals and supports redevelopment opportunities there. It is expected to improve the area and stimulate revitalization. Rezoning to NWRAC-MUe would ensure that future Site Plans for the subject property must comply with the requirements of the Northwest RAC design guidelines, which were subject to significant community input during their development.

A public participation meeting was held on September 7, 2022, via Zoom. Several individuals who own surrounding properties reacted positively to the proposed rezoning, which would encourage pedestrian-friendly redevelopment. A presentation was also made to the Progresso Village Civic Association on September 19, 2022, which was attended by roughly 20 to 25 members of that association. The Applicant informed the members that they would meet with the Association once more when the subject site is redeveloped. The Association provided the Applicant with a letter of support for the proposed rezoning.

Ms. Fertig requested that the letter of support be included in disclosures, as it was provided to the Board members.

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. Ganon commented that the subject area is clearly undergoing transition, which the proposed rezoning would continue. He asked if there are any requirements within the Northwest RAC to include affordable or workforce housing. Mr. Crush replied that while there are no such requirements, the receipt of CRA dollars could be a factor to encourage affordable housing. The Applicant will seek some type of funding from the CRA if they can meet the appropriate timeline.

Motion made by Ms. Fertig, seconded by Mr. McTigue, to approve with all the facts and findings and conditions and anything else.

In a roll call vote, the **motion** passed 6-0. (Mr. Barranco abstained. A memorandum of voting conflict is attached to these minutes.)

5. CASE: UDP T22006

REQUEST: * Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-27.7 Historic Designations, to Include Additional Noticing Requirements for Historic Designation Applications

APPLICANT: City of Fort Lauderdale

COMMISSION DISTRICT: City Wide

CASE PLANNER: Trisha Logan, AICP

Trisha Logan, Principal Urban Planner, advised that this Text Amendment addresses Unified Land Development Regulations (ULDR) Section 47-27.7, which pertains to notices for historic designation. The City's Historic Preservation Board has requested this amendment via communication to the City Commission, which authorized Staff to move forward with its preparation.

The amendment provides for an additional sign notification in front of a property prior to a designation application appearing before the Historic Preservation Board (HPB). It also provides for an additional mail notice to a registered agent for a property owned by a limited liability company (LLC) or corporation.

Chair Weymouth asked if the amendment would apply only if the applicant is the owner of the property. Ms. Logan clarified that it would apply in all cases. She further clarified that Code does not permit a separate party, such as a neighbor, to apply for the historic designation of a property that does not belong to them. A designation application may be initiated in the following ways:

- Through a motion by the HPB
- Through a motion by the City Commission
- Through the property owner
- Through a simple majority of property owners within a historic district
- Through a nonprofit organization with a vested interest in historic preservation

Mr. Shechtman asked if, should an application be filed by a party other than the property owner, that owner would be required to keep the signage on the property. Attorney Wallen explained that signs are placed on the property's corner, as required by Code. She further clarified that any nonprofit requesting a historic designation must have existed for five years. A random individual would not be able to request this designation.

units are exhausted, there will be no other option except either a Land Use Plan Amendment or applying the County policy for affordable housing. A formula-based unit ratio is applied for the construction of affordable units versus market-rate units. This will show the total units that can be developed for a project. There are also form-based regulations which regulate how much density can be constructed. The properties must be built on certain major corridors or certain land use categories.

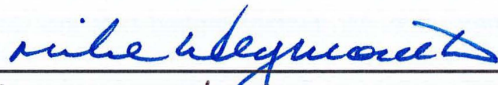
Mr. Hetzel continued that there are different categories of affordable units, for which the number of market-rate units that can be constructed per affordable unit varies. He cited the example of one very low-income unit, which permits the developer to construct 19 market-rate units. This process allows for the development of an unlimited number of units.

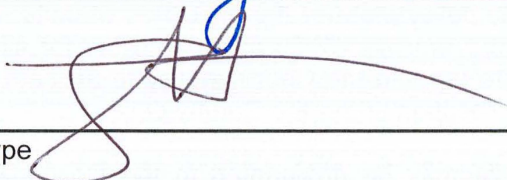
Ms. Parker advised that there is also the option of an in-lieu fee, which is going through a County amendment process and is proposed to be \$10,000 per unit. The actual allocation of units occurs during Site Plan approval and is done on a first-come, first-served basis.

Mr. Barranco asked if Staff has discussed consideration of securing additional units. Mr. Hetzel confirmed that Planning Staff has discussed this possibility through a Land Use Plan Amendment for specific areas within the City, but has not received direction to proceed at this time.

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.]