



CITY OF FORT LAUDERDALE

**PLANNING AND ZONING BOARD MEETING MINUTES
CITY HALL COMMISSION CHAMBERS
100 N. ANDREWS AVE., FORT LAUDERDALE, FLORIDA 33301
WEDNESDAY, MARCH 15, 2023 – 6:00 P.M.**

Board Members	Attendance	Present	Absent
Michael Weymouth, Chair	P	10	0
Brad Cohen, Vice Chair	P	8	2
John Barranco	A	9	1
Mary Fertig	P	9	1
Steve Ganon	P	10	0
Shari McCartney	P	7	3
Patrick McTigue	P	8	0
William Rotella	P	9	1
Jay Shechtman	P	9	1

Staff

Ella Parker, Urban Design and Planning Manager
Shari Wallen, Assistant City Attorney
Christopher Cooper, Director, Development Services Department
Jim Hetzel, Urban Design and Planning
Yvonne Redding, Urban Design and Planning
Adam Schnell, Urban Design and Planning
Lorraine Tappen, Urban Design and Planning
Clarence Woods, Central City CRA Manager
Leslie Harmon, Recording Secretary, Prototype, Inc.

Communication to City Commission

Ms. McCartney noted that the Board discussed two separate parking reduction requests at tonight's meeting, and stated that she would prefer the City address appropriate parking requirements rather than have the Board continually adjust these requirements. She pointed out that parking needs may have changed over time.

Motion made by Ms. McCartney, seconded by Ms. Fertig, to recommend a communication to the City Commission to direct Staff to conduct a parking analysis of the existing parking requirements, and based on the results, if necessary, amend the Ordinance. In a voice vote, the **motion** passed unanimously (8-0).



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I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Weymouth called the meeting to order at 6:00 p.m. and introduced the Board and Staff members present.

II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM

Motion made by Ms. McCartney, seconded by Mr. McTigue, 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.

IV. AGENDA ITEMS

Index

<u>Case Number</u>	<u>Applicant</u>
1. UDP-A22056**	AMU Corporation
2. UDP-Z22029 * **	Barbill Ventures Corp. c/o William Porter
3. UDP-P22005* **	RD 3B LLC
4. UDP-S22015**	M-VII QUAY OWNER LLC
5. UDP-Z22017*	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-A22056

REQUEST: ** Site Plan Level III: Parking Reduction Request for a 110-Room Hotel

APPLICANT: AMU Corporation

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

PROJECT NAME: Holiday Inn Express & Suites

PROPERTY ADDRESS: 2731 N. Federal Highway

ABBREVIATED LEGAL DESCRIPTION: Coral Ridge Properties 28-8 B LOT 7 S 150

ZONING DISTRICT: Boulevard Business (B-1) District

LAND USE: Commercial

COMMISSION DISTRICT: 1 – John C. Herbst

NEIGHBORHOOD ASSOCIATION: N/A

CASE PLANNER: Yvonne Redding

Disclosures were made at this time.

Courtney Crush, representing the Applicant, stated that the request is for a parking reduction for an approved Holiday Inn Express Site Plan. The subject property is zoned B-1. The hotel has 110 rooms and a free-standing parking garage.

The Site Plan was approved in 2021, and the Applicant's team has worked with both City Staff and the surrounding Coral Shores neighborhood, which is across the waterway from the hotel. The Applicant's traffic consultant has also worked with the Florida Department of Transportation (FDOT).

A strip of land to the west of the subject property is owned by the City of Fort Lauderdale and contains a large amount of vegetation. The Applicant has discussed this land with residents of the surrounding neighborhood, who expressed concern with unwanted activity such as camping or dumping on the strip. The Site Plan includes secured access to this strip using locked gates that may only be opened by the City or the property owner.

Ms. Crush advised that the site's parking requirement calls for 110 parking spaces in the garage. Following Site Plan approval, the property was re-platted through both the City and Broward County. Holiday Inn Express and the property owners do not believe that a hotel would require 110 spaces due to the availability of ride-sharing services as well as an on-site shuttle.

A traffic analysis of similar hotels was conducted by the Applicant's traffic consultant, who also examined the number of spaces recommended in the Institute of Transportation Engineers (ITE) handbook. The Applicant requests to reduce the number of required parking spaces to 75, with one shuttle that serves only the hotel.

Ms. Crush pointed out that the requested reduction would not require three levels of parking, but two. This would reduce the planned height of the garage from 32 ft. to 22 ft. Landscaping will buffer the garage from the view of residential neighbors across the waterway.

In-season traffic counts at the end of 2019/beginning of 2020 were taken at comparable hotels located on State Road (SR) 84. The traffic consultant also reviewed the ITE's parking generation manual and determined that the ITE recommends .62 parking spaces for a limited-service hotel. This standard would require 69 parking spaces, although the Applicant proposes 75 spaces and a shuttle.

Ms. Crush briefly reviewed the Site Plan, including the hotel and garage. No aspects of the Site Plan will change at the ground level. Aside from the beach area, Fort Lauderdale's parking requirements have not changed in several years.

Mr. Shechtman asked if the Applicant already has approval to build the site with a three-story garage to accommodate 110 parking spaces. Ms. Crush confirmed this.

Vice Chair Cohen asked how many employees will work at the hotel, and whether they will also use the parking structure. Ms. Crush replied that between 22 and 25 employees will work at the hotel across three shifts. Most employees are expected to take buses to the hotel.

Chair Weymouth requested additional information on the type of guests the hotel is expected to accommodate. Ms. Crush stated that the hotel is not near a business center: most guests will be transient rather than business travelers. They are expected to come directly from the airport and will be served by the shuttle.

Chair Weymouth also asked if there is a maintenance agreement in place between the City and the hotel owner regarding the City-owned strip of land. Ms. Crush advised that the Applicant is open to discussion of a maintenance agreement. She pointed out that the nearby seawall has greatly deteriorated and neighbors of the property have shared their concerns with the City. The Applicant feels proper maintenance of this area would benefit all parties.

Chair Weymouth recommended that the City make repairs to the seawall and then deed the property to the Applicant.

Mr. Shechtman asked if the Applicant has spoken to adjacent neighbors of the property regarding the parking reduction request. Ms. Crush replied that the Applicant has not spoken to these commercial neighbors recently.

Mr. Shechtman also asked if construction on the subject property could jeopardize the integrity of the damaged seawall. Ms. Crush stated that the Applicant will place a fence around the area to prevent any inadvertent drainage from the site onto the waterway. The Applicant has requested that this seawall be prioritized by the City, as it has created a drainage problem on their property.

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

Gary James, private citizen, asked how any overflow parking at the hotel would be accommodated. Ms. Crush replied that no overflow is anticipated, as most limited-service hotels in urban areas have parking counts lower than the ITE's estimates.

Mr. James requested clarification of the shuttle's owner. Ms. Crush stated that it is paid for by the hotel owner and will carry guests to and from the airport as a courtesy.

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 to approve the Resolution approving a Site Plan Level III Case Number UDP-A22056, which is actually a parking reduction, based on the findings of Staff and the presentation tonight, and we find the Application meets the standards and requirements of the ULDR criteria for the proposed use.

Assistant City Attorney Shari Wallen requested clarification that the **motion** is also intended to include the condition in the Staff Report. Ms. Fertig confirmed that this was the case.

Mr. Ganon **seconded** the **motion**. In a roll call vote, the **motion** passed unanimously (8-0).

2. CASE: UDP-Z22029

REQUEST: * ** Rezoning from Residential Single Family and Duplex/Medium Density (RD-15) District, Residential Mid Rise Multifamily/Medium High Density (RMM-25) District, and General Business (B-2) District to Community Business (CB) District

APPLICANT: Barbill Ventures Corp. c/o William Porter

AGENT: George David, David Construction, Inc.

GENERAL LOCATION: 1714 W. State Road 84

ABBREVIATED LEGAL DESCRIPTION: Matcorp Plat 128-2 B Parcel A

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

PROPOSED ZONING: Community Business (CB) District

LAND USE: Commercial

COMMISSION DISTRICT: 4 – Warren Sturman

NEIGHBORHOOD ASSOCIATION: Edgewood Civic Association

CASE PLANNER: Yvonne Redding

Disclosures were made at this time.

George David, representing the Applicant, stated that the subject property was first developed in 1996 and presently includes a generator sales/service business. An addition was added to the property in 2015.

An area behind the property is zoned mixed-use residential. Mr. David advised that there are two zoning categories for this use, RD-15 and RMM-25, which cannot be developed for residential use. The owners of the property have elected to rezone this area to Community Business (CB), which is consistent with the surrounding environment and community.

The majority of existing zoning on the subject property is B-2, and the use is consistent with this zoning. Any future development of the property would be ancillary to the existing use, which is also compliant with CB zoning.

Ms. Fertig asked if the Applicant's team had spoken with any residents of the residential area behind the subject property. Mr. David replied that the Applicant held a public participation meeting on the site; however, there was very light turnout, and no residents of the nearby residential neighborhood attended. One homeowner from farther down the street attended and was supportive of the proposed zoning change.

Ms. Fertig requested clarification of how the public participation meeting was advertised. Mr. David stated that this was done through the mail as required for zoning requests.

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 to recommend approval of Case Number UDP-Z22029 based on the presentation tonight and the findings of fact, and we find it meets the criteria of the ULDR.

Mr. McTigue **seconded** the **motion**. In a roll call vote, the **motion** passed unanimously (8-0).

3. **CASE:** UDP- P22005
REQUEST: * ** Plat Review
APPLICANT: RD 3B, LLC.

AGENT: Elizabeth Tsouroukdissian, Pulice Land Surveyors, Inc.
PROJECT NAME: RD Las Olas Residences
PROPERTY ADDRESS: 529 E. Las Olas Boulevard
ABBREVIATED LEGAL DESCRIPTION: Subdivision Blk H & Stranahan Rev & Add SUB 1-9 B
ZONING DISTRICT: Regional Activity Center – City Center (RAC-CC) District
LAND USE: Downtown Regional Activity Center
COMMISSION DISTRICT: 4 – Warren Sturman
NEIGHBORHOOD ASSOCIATION: Downtown Fort Lauderdale Civic Association
CASE PLANNER: Jim Hetzel

It was noted that the Applicant in this case had requested deferral of this Item to the April 19, 2023 meeting.

Motion made by Mr. Rotella, seconded by Mr. McTigue, to defer Case Number UDP-P22005. In a voice vote, the **motion** passed unanimously (8-0).

4. **CASE:** UDP-S22015
REQUEST: ** Site Plan Level III: Waterway Use and Mixed-use Development with allocation of 371 Residential Flexibility Units with Parking Reduction
APPLICANT: M-VIII QUAY OWNER LLC
AGENT: Robert Lochrie, Esq.
PROJECT NAME: Quay
PROPERTY ADDRESS: 1515 and 1555 SE 17th Street
ABBREVIATED LEGAL DESCRIPTION: HERZFELDS ADD TO LAUDERDALE HARBORS 35-22 B PT BLK 6 DESC AS COMM AT SE COR OF SAID BLK 6,W 321 TO POB, CONT W 466, NLY 671.23,ELY 453.00 SLY 42.5,WLY 112.45,NLY 15, WLY 88.51,SLY 136.52, SELY 181.41, ELY 24.5,SLY 312.54, SELY 81.00,SLY 72.00 TO POB and LAUDERDALE HARBORS 35-22 B PT OF BLK 6 DESC AS,COMM AT SE COR OF BLK 6,W ALG S/L 334, NLY 464.52 TO POB, CONT NLY 163.71,WLY 112.45,NLY 15,WLY 88.51,SLY 136.52,SELY 181.41,E 24.5 TO POB AKA: BIMINI BOATYARD
ZONING DISTRICT: Boulevard Business (B-1) District
LAND USE: Commercial

COMMISSION DISTRICT: 4 – Warren Sturman
NEIGHBORHOOD ASSOCIATION: Harbordale Civic Association
CASE PLANNER: Adam Schnell

Disclosures were made at this time.

Robert Lochrie, representing the Applicant, advised that because the 180-day statutory period in which the City must make a decision on an application ends today, the Applicant and City Staff have agreed to extend this period for an additional 30 days. This means if the Board approves the project, the City Commission will still have 30 days in which to call it up if that is their desire.

The requested mixed-use project will include existing commercial, retail, and restaurant uses, as well as the addition of new residential, retail, and commercial uses. The property is roughly seven acres in size.

The Application requests replacement of a surface parking lot by a parking garage for the site's residential and retail uses. Access to the site will remain essentially the same from a main drive and a secondary service driveway. The project's main vehicular entrances allow access to the garage from the east and west.

Mr. Lochrie pointed out that the project provides over 100,000 sq. ft. of open space against a requirement of roughly 50,000 sq. ft. The pedestrian plazas, open areas, and setbacks also exceed Code requirements: Code requires a 20 ft. setback, while the building is set back 32 ft. at its narrowest point and extends over 40 ft. into an open plaza at the property's entrance.

The plaza areas include wide sidewalks, plantings, additional shade trees, and outdoor dining. The dining area wraps around the corner of the building's commercial portion on the west side. On the east side, there is also a large pedestrian plaza with sidewalks that curve around the building, with additional park/plaza space on the north and east sides.

The proposed building has three different heights. Along 17th Street, it is 15 stories, which is reduced to 8 stories as it moves north and increases to 12 stories on the north side. The original height was to be 15 stories throughout, but was amended after the Applicant worked with neighbors and City Staff.

On the ground floor, commercial space faces 17th Street, with residential units above. Mr. Lochrie advised that the garage is in the center of the building and is completely lined by residential units. He showed multiple views of the site.

The 15-story portion of the project facing 17th Street is consistent with City Code. The garage area is enclosed within the 8-story portion of the project, which has an amenity deck on its roof. The north side of the building steps down to approximately 120 ft., which is significantly lower than the 150 ft. permitted by Code.

There are currently 362 parking spaces on the site, some of which do not meet current Code standards because they are grandfathered. These will be replaced by a garage and surface parking that will meet Code requirements. The 362 spaces for commercial uses will be replaced by 415 spaces. Another 664 spaces will be provided on the site for residential use, totaling 1079 parking spaces.

No reduction is requested for the residential portion of the parking area. Residents of the Harbordale neighborhood have also asked that the Applicant ensure residential users do not fill up the commercial parking spaces. For this reason, all residential spaces are located on the top levels of the garage, leaving the lower four floors open for use by commercial/restaurant customers. Valet service will be provided inside the garage for the boatyard.

Mr. Lochrie continued that over the last two months, Harbordale residents expressed concern with traffic from the site. The Applicant plans for the development to use 15th Street to exit the property to Federal Highway instead of using 17th Street. They have also made a voluntary commitment to the City of \$30,000 toward traffic calming measures. The City will work with the Harbordale Civic Association to implement the improvements.

Mr. Lochrie read a portion of the condition aloud to the Board at this time, adding that the Applicant has revised their traffic study to take these conditions into consideration.

Mr. Shechtman asked where the \$30,000 payment would be held. Mr. Lochrie explained that these dollars will be held in trust by the City. The Applicant feels comfortable that the funds can be used for the stated purpose.

Ms. Fertig observed that the 30-day extension may not be sufficient for the project, and asked if the Applicant would be amenable to 60 days. Mr. Lochrie pointed out that even without an extension, the City Commission has only 30 days in which they may call up an item.

Ms. Fertig also addressed parking, requesting clarification of where the proposed reduction would come from. Mr. Lochrie reiterated that the reduction would come from the commercial portion of the site. This would be a 5% multimodal reduction. The residential portion will be fully parked.

Ms. Fertig asked for the roadway rating of 17th Street, as well as whether or not this rating was considered by the Applicant. She also asked how the impact of 362 new residents will be accounted for on existing roadway conditions. Mr. Lochrie explained that the Applicant's traffic study, which was done in conjunction with the City's traffic analysis, includes actual counts of intersections and determined the project's impact on them. They also considered the historic amount of traffic on 17th Street, as well as planned improvements to the area, such as the Port Bypass Road, which will be completed before the Convention Center is redeveloped. FDOT and Broward County are already making improvements to some intersections in the area.

It was noted that 17th Street is not considered a failing road, pursuant to FDOT standards. Its current level of service (LOS) is D. Mr. Lochrie added that the project would not cause 17th Street to be downgraded to an LOS of F.

Ms. McCartney requested clarification of the flow of traffic from the subject site. Mr. Lochrie replied that most traffic from the site will exit onto 17th Street. A left turn from the site would take drivers past a private driveway and toward an intersection.

A question was asked regarding the costs associated with commercial parking aside from the boatyard's valet agreement. Mr. Lochrie stated that parking is likely to remain free of charge unless problems develop at the site.

There being no further questions from the Board at this time, Chair Weymouth opened the public hearing. Any individuals who were not previously sworn in were sworn at this time.

Marilyn Mammano, president of the Harbordale Civic Association, advised that this Association's general membership saw a presentation on the proposed project. There have also been additional individual meetings of Association members with the Applicant and with City Staff to review the project's details. They did not vote on the Application.

Ms. Mammano continued that the proposed project will contribute to greater density in the neighborhood, as well as increased traffic and deteriorating quality of life. She pointed out that the neighborhood has already experienced gridlock in 2023, absent any further development.

Ms. Mammano concluded that the Association met with City Staff and the Applicant to discuss parking plans, resulting in the allocation of more parking spaces for residents. These discussions eventually addressed 17th Street, which led to the developer's voluntary accommodations, including additional traffic studies. She recommended approval of the voluntary contribution toward traffic calming if the project is approved, noting that the City and not the Association should hold this contribution.

Ms. Fertig asked if there is any assurance that the City will agree to the proposed traffic calming measures, or that costs will not exceed \$30,000. Ms. Mammano stated that she understood the language of the condition was approved by the City Attorney's Office.

Attorney Wallen advised that the language in the voluntary condition, which mentions the agreement is subject to acceptance by the City Commission, came from the City Attorney's Office. The agreement will be subject to review from the Department of Transportation and Mobility in addition to City Commission acceptance.

Mr. Shechtman asked if a master mobility plan has been developed for the Harbordale neighborhood. Ms. Mammano replied that there has not, but noted that a number of projects are proposed for this community by the Department of Transportation and Mobility, including traffic calming measures and reconfiguration of intersections.

Robert Kain, private citizen, stated his opposition to the project, as he felt the infrastructure on 17th Street was insufficient for a development of the proposed size. He provided photographs of traffic conditions in the subject area, including plans for the expanded Convention Center. He concluded that the nearby George T. Lohmeyer Wastewater Treatment Plant receives 48 million gallons per day (MGD) and is not regulated to treat more than 56 MGD, which could be insufficient due to the addition of the proposed project and the Convention Center.

Alex Abajian, representing the Portside Yacht Club, recalled that in January and February 2023, there have been at least four times when residents could not exit Portside Drive to access Eisenhower Boulevard and were required to use back roads instead. He also cited issues with congestion of traffic and people, and recommended that the project be put on hold.

Beth Faylor, private citizen, stated that she was shocked the City would consider increasing density and traffic in the area, and did not feel 15th Street would be sufficient to accommodate these increases. She did not support the project.

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. Ganon observed that most of the traffic congestion on 17th Street is not caused by local residents of that area, but by commuters accessing the beach and A1A. He also noted that the commercial businesses on the subject site will contribute to more traffic than residents.

Ms. Fertig expressed concern with the intersection of Eisenhower Boulevard and 17th Street, which is regularly very congested in spite of adjustments in recent years. Mr. Lochrie advised that this intersection would not be the main way in and out of the project: the development's main driveways exit directly onto 17th Street. He added that much of the traffic is not caused by residents of the area, but is generated by the cruise ship industry, and reiterated that the County and State have planned improvements to this intersection.

Ms. Fertig continued that she was also concerned with the parking reduction request, recalling that when she visited the site, the lot was fully parked. She felt a reduction of the commercial spaces would be a problem, as those cars would have nowhere else to go. Mr. Lochrie stated again that even with the parking reduction, the number of commercial spaces on the site will increase.

Vice Chair Cohen also expressed concern with the proposed parking reduction due to the volume of traffic in the area. Mr. Lochrie stated that the decision on the parking reduction in this case has been made by City Staff; however, he suggested that the Applicant may be willing to consider removing some of the commercial/retail uses from the building, even though these uses would serve the building if retained.

Mr. Lochrie emphasized that while some of the commercial/retail uses could be removed from the building, it is unlikely there would be a benefit to parking. He also

characterized the fully parked residential portion of the development as significantly large.

Vice Chair Cohen added that the proposed development is a permitted use, which means the Applicant is not requesting permission to build on the subject property, but is requesting only a parking reduction.

Mr. Ganon noted that the parking reduction requested for this Item is a 5% reduction, recalling that the Board approved a 32% reduction for a previous Agenda Item at tonight's meeting. He added that if there is insufficient parking on the site, the Applicant's own business tenants would suffer for it.

Mr. McTigue requested clarification of how many commercial parking spaces would be added to existing conditions. Mr. Lochrie stated there are currently 362 spaces on the property. The project proposes a total of 1079 spaces, 415 of which would be reserved for the commercial uses.

Ms. Fertig observed that she was also disturbed when neighborhood residents came before the Board and indicated that they felt there was little point in taking a position on a project or addressing existing problems. She advised that the Board may make recommendations to the City Commission that can affect Code.

Mr. Shechtman pointed out that the issue also includes whether or not to include commercial, restaurant, and retail uses which could enhance the neighborhood and create a sense of community along 17th Street rather than having the roadway serve only transitory uses.

Ms. Fertig stated that the parking reduction could be solved "by what they're adding as commercial space," noting that there are already several different commercial uses at ground level on the existing site. She felt the City should focus on improving traffic on every corridor in the City and should not ignore the environmental impact of putting more cars on roadways.

Mr. Shechtman commented that the overall number of commercial parking spaces will increase over what exists today while adding only 12,000 sq. ft. of new commercial space. He felt the overall project will have more than enough parking.

Motion made by Ms. Fertig not to approve, based on the data before us.

Attorney Wallen requested that Ms. Fertig's **motion** clarify the section of City Code with which the Application fails to comply. Ms. Fertig stated that she felt a parking reduction was not appropriate on the subject site, and that it is necessary to have added commercial parking due to the many commercial uses surrounding the site and within walking distance.

Attorney Wallen advised that the criteria for a parking reduction are found under Section 47-20.3, and again requested clarification of the criteria Ms. Fertig felt have not been

met by the Application. Ms. Fertig replied that she believed the Applicant needed to fully park the project.

Attorney Wallen asked if Ms. Fertig's **motion** indicated the Applicant has failed to meet adequacy requirements for the site under Section 47-25.2. Ms. Fertig agreed that this was her intent.

[The **motion** died for lack of second.]

Mr. Shechtman requested clarification of whether or not the Board is voting to approve the entire project. Attorney Wallen explained that the request is for conditional use, which means the Board may approve or deny that use: they are not asked to make a recommendation to the Commission. The Application is then subject to call-up by the City Commission, with the caveat of a 30-day extension for this call-up..

Mr. Rotella asked if there is any possibility of the Applicant further redesigning the project in response to the Board's concerns. Mr. Lochrie stated that while this could be done, the net result of increasing parking in the subject area could be less satisfactory than what is presented today.

Mr. Lochrie also reminded the Board that any motion to approve should also include the commitment made by the Applicant to provide \$30,000 for improvements in the neighborhood.

Mr. Rotella asked how much of the 12,000 sq. ft. of new commercial space would be retail rather than restaurant space. Mr. Lochrie estimated that 7200 sq. ft. is potential restaurant space, while the remainder would be retail. He again advised that if the additional commercial space is not pursued, there would be no need for a parking reduction, but also reiterated that the residents of the development would be served by the addition of these uses.

Ms. Fertig observed that it can be difficult to find parking for similar uses in the surrounding area. She also noted that these uses already exist near the proposed development. Mr. Lochrie emphasized the convenience of having these uses within the project.

Ms. McCartney commented that she had fewer concerns with the proposed parking reduction than with other issues about the project, such as its potential impact on traffic; however, the Board is not asked to vote on those other issues. Attorney Wallen noted that the adequacy requirements in Code Section 47-25.2 include traffic, which means this consideration is before the Board.

Motion made by Mr. Ganon, seconded by Mr. McTigue, to approve Case UDP-S22015, based on the findings of fact in the Staff Report and the testimony heard, including the voluntary condition read by Robert in the beginning as well as the conditions in the Staff Report.

Mr. Shechtman stated that if the **motion** passes, the Board should specify that the funds collected are solely intended for use in the Harbordale area. Attorney Wallen advised that the condition proposed by the Applicant states the funds would be used to implement traffic calming measures within Harbordale.

Ms. Fertig requested clarification of how, even with the 30-day extension, there might not be sufficient time for the Commission to call up the Item. Attorney Wallen stated that it normally takes some time to add an item to the City Commission's Agenda. She emphasized that this should not cloud the Board's judgment regarding approval or denial of the Application, as their judgment should be based solely upon the criteria in Code; however, she did not wish to mislead the Board regarding the potential for the City Commission to put this Item on their Agenda. She concluded that this will ultimately be up to the City Manager.

Mr. Lochrie stated once again that the City Commission is limited to a 30-day call-up period according to City Code.

In a roll call vote, the **motion** passed 5-3 (Vice Chair Cohen, Ms. Fertig, and Ms. McCartney dissenting).

5. CASE: UDP-Z22017

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

APPLICANT: City of Fort Lauderdale

PROJECT NAME: Central City CRA North-West Quadrant Rezoning

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: RDs-15 to RM-15: All of Block 25, 71, and 72 and Lots 13-24 of Block 26, 13-24 of Block 70, and 13-24 of Block 73, Progresso RDs-15- to RD-15: All of Block 27, 49, and 74 and Lots 1-12 of Block 26, Lots 1-12 of Block 70, and Lots 1-12 of Block 73, Progresso

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

LAND USE: Medium Residential

COMMISSION DISTRICT: District 2 – Steven Glassman

NEIGHBORHOOD ASSOCIATION: South Middle River Civic Association

CASE PLANNER: Lorraine Tappen

Disclosures were made at this time.

Lorraine Tappen, representing Urban Design and Planning, reviewed the proposal for this Item, which was deferred from a previous meeting. The City is seeking to rezone the northwest quadrant of the Central City Community Redevelopment Agency (CRA). The original recommendation brought forward at the October 2022 Planning and Zoning Board meeting was to rezone the area from its current designation of RDs-15 to RM-15. Based upon input from the Board, an alternate recommendation was proposed, which

would rezone the area from Powerline Road to the mid-block between NW 7th Avenue and NW 8th Avenue to RM-15, with the remainder to be zoned RD-15.

Ms. Tappen advised that Staff has mailed notices of public meetings in English, Spanish, and Haitian Creole to property owners in the proposed area, as well as those within 300 ft. of that area. Emails were sent to the South Middle River Civic Association in advance of a public participation meeting on March 1, 2023, as well as of tonight's meeting. CRA Staff distributed "doorhangers" and provided additional items to the South Middle River Civic Association for further dispersal. They also reached out to attendees of prior meetings who had provided contact information, and presented the proposal to the Central City Alliance and South Middle River Civic Association. 22 people attended the March 1 public participation meeting.

Ms. Tappen also recalled that a newsletter and notice were distributed in advance of a number of public workshops held on this topic in 2018. These addressed the overall effort of rezoning the entire Central City CRA.

Of the 22 attendees at the March 1 meeting, 10 supported the proposed rezoning, while seven attendees were neutral on the topic and two opposed. Three attendees did not provide an answer. Questions addressed the clarification of medium density, which permits up to 15 dwelling units per acre. The rezoning would not be accompanied by an increase in density.

Attendees spoke favorably of recently constructed town homes on NW 17th Street, and were in favor of the sidewalks provided as part of the construction. Other participants asked if property owners would be forced to sell or update their properties, neither of which would be the case: property owners may maintain their properties as is or may upgrade or redevelop their property after the rezoning.

Another concern was for the potential displacement of renters. Ms. Tappen replied that owners may continue to rent their properties at market rates. Owner-occupied properties will continue to be eligible for a homestead exemption, which limits the increase in property taxes over time. Participants also expressed concern with conditions on NW 8th Avenue.

Attendees asked what might happen if neighbors decided to redevelop their properties. Ms. Tappen advised that if an owner builds a traditional single-family home, neighbors would not be notified; however, if town homes or multi-family development was to be built, these projects would go before the City's Development Review Committee (DRC), for which agenda notice is posted. The construction of zero-lot-line, cluster, or mixed-use developments would also require public notice to be posted, including signs, and would come before the Planning and Zoning Board.

Ms. Tappen noted that the proposed rezoning may provide more future housing options in the subject area. The current designation of RDs-15 permits only the development of traditional detached single-family dwelling units. RD-15 allows regular single-family homes as well as duplexes, cluster homes, and zero-lot-line development. RM-15

allows all of these types of residential developments in addition to town homes and multi-family development.

Ms. Tappen reviewed the dimensional requirements for RD-15 and RM-15 zoning, pointing out that there is no proposed change in the maximum height allowed. This height is 35 ft. Front, side, and rear yard setbacks would also be similar for all three current and proposed zoning districts.

Ms. Tappen continued that with different types of development available, Code has more rigorous standards for multi-family, town home, cluster, and duplex developments, which do not exist for single-family detached homes. Multi-family, town home, cluster homes, and duplexes have a street tree requirement in addition to the requirement of trees on the property.

Town homes and cluster homes must provide fences that are at least 75% opaque. If a building is 22 ft. or more in height, there is an additional setback requirement from the property line to reduce the impact of this height. Town homes, cluster homes, and duplexes also have a requirement for roof landings over their front doors. Ms. Tappen showed visuals of these requirements within the proposed zoning districts.

Staff's recommendation is for rezoning of the entire proposed area to RM-15, which is the original proposal. This would allow all the options for potential residential development. Another option is the one recommended by the Planning and Zoning Board, which would extend RM-15 zoning from Powerline Road to the mid-block between NW 7th Avenue and NW 8th Avenue, with the remainder to be rezoned RD-15.

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

Carol Salazar, private citizen, stated she was in favor of the proposed rezoning, as it would improve the neighborhood.

Dennis Ulmer, private citizen, advised that he had sent a communication to the Planning and Zoning Board in advance of their January 2023 meeting in support of the proposed rezoning. He had attended the March 1 public participation meeting and was supportive of the change once again.

Bradley Varner, private citizen, stated he was in favor of the proposed rezoning.

Rolando Manzano, private citizen, was also supportive of the proposed rezoning.

Alan Beck, private citizen, stated he was in favor of the proposed rezoning.

Edward Catalano, treasurer of the South Middle River Civic Association, stated he was in favor of the proposed rezoning.

Carmen Smith, private citizen, was in favor of the proposed rezoning, which she felt would stimulate redevelopment in the neighborhood. She did not believe the rezoning would cause any residents of the area to lose their housing.

Timothy Emerson, private citizen, was in favor of the proposed rezoning. He pointed out, however, that NW 7th Avenue from Sunrise Boulevard to 13th Street is “a freeway” for cars that can reach very high speeds. Over 40 accidents have occurred in that area over the last year, and a four-way Stop sign has been approved at one intersection.

Robert Miller, private citizen, advised that he is a member of the South Middle River Civic Association. He was strongly in favor of the proposed rezoning, which he felt would revitalize and energize the subject area.

William Cody, secretary of the South Middle River Civic Association, briefly reviewed the City’s and the Association’s efforts to ensure public notice of meetings addressing rezoning. He felt the proposed change would improve the neighborhood and provide an incentive for property owners to make their properties more attractive.

Wayne Shanholtz, private citizen, spoke in favor of the proposed rezoning.

Thomas Pierce, private citizen, stated that he was in favor of the proposed rezoning.

Paul Lanata, private citizen, supported the proposed rezoning, with a preference for Staff’s proposal of rezoning the entire area to RM-15 over the alternate proposal to rezone the area to RM-15 and RD-15.

Dakota King, private citizen, supported the proposed rezoning.

Shawn Rothlis, vice president of the South Middle River Civic Association and the Gardenia Park Homeowners Association, supported the proposed rezoning.

Debbie Litz, private citizen, stated that she wanted to see improvement to the subject neighborhood and was in favor of the proposed rezoning.

Lorraine Saunders, private citizen, advised that she has been involved in the proposed rezoning process since its beginning and was supportive of the proposal.

Lynn Morgan, president of the South Middle River Civic Association, emphasized the contributions of the Association to promoting public involvement in this issue. She concluded that the Association is supportive of the proposed rezoning.

Patrick S. Vida, private citizen, supported the proposed zoning change.

David Durham, private citizen, supported the proposed zoning change.

Terry Nolen, private citizen, supported the proposed zoning change.

Jose Cardena, private citizen, supported the proposed zoning change.

Yessica Betancourt, private citizen, supported the proposed zoning change.

Ray Thrower, chair of the Central City CRA Board, felt the additional public outreach recommended by the Planning and Zoning Board and carried out by City Staff has had a positive impact on the process. He stated that the Central City CRA is supportive of the proposed rezoning, pointing out that there has been no negative impact associated with the placement of other types of dwelling units next to single-family homes.

Carlos Eduardo Cassatti Santos, private citizen, was in favor of the proposed rezoning.

Vanessa Sutherland, private citizen, stated the proposed rezoning did not make sense to her, and that many residents of the area did not understand the process, as they did not speak, read, or write English. She felt the proposed rezoning constituted a civil rights violation, and provided a list of 95 “votes from the community.”

Gary James, private citizen, commented that his neighborhood has improved over time. He was in favor of the proposed rezoning.

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. Shechtman stated that he still recommended the inclusion of RM-15 zoning on the perimeter of the subject area with RD-15 on the interior.

Chair Weymouth observed that the City and the South Middle River Civic Association were successful in ensuring public notice of the proposed change and tonight’s hearing. Vice Chair Cohen added that there appeared to be significantly more community outreach, which made him more comfortable voting on the Item.

Attorney Wallen advised that Code Section 47-24.4 requires an applicant to agree to any changes that would impose more restrictive zoning than what is proposed. She requested clarification of whether or not the City is in agreement with the proposal.

Clarence Woods, Central City CRA Manager, stated that he was willing to accept the alternate proposal put forth by Mr. Shechtman.

Motion made by Mr. Shechtman, seconded by Ms. Fertig, Case Number UDP-Z22017, I move that we adopt the Planning and Zoning Board recommendation map on this slide, that the first block and a half of Powerline be RM-15 and that the remainder to the east, second block and a half, be RD-15.

Mr. Shechtman confirmed that his proposal is depicted on a graphic shown by Ms. Tappen during her presentation of the Item.

In a roll call vote, the **motion** passed unanimously (8-0).

Ms. Fertig stated that she would like to see City Staff work with the neighborhood to finalize traffic calming measures that have been discussed for 7th Avenue.

V. COMMUNICATION TO THE CITY COMMISSION

Ms. McCartney noted that the Board discussed two separate parking reduction requests at tonight's meeting, and stated that she would prefer the City address appropriate parking requirements rather than have the Board continually adjust these requirements. She pointed out that parking needs may have changed over time.

Motion made by Ms. McCartney, seconded by Ms. Fertig, to recommend a communication to the City Commission to direct Staff to conduct a parking analysis of the existing parking requirements, and based on the results, if necessary, amend the Ordinance. In a voice vote, the **motion** passed unanimously (8-0).

VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

Ms. Fertig reiterated that the Board should support the appropriate neighborhood in their request for traffic calming measures on 7th Avenue.

There being no further business to come before the Board at this time, the meeting was adjourned at 8:53 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.]