



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.~~

~~**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

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. Omengabar 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 1-95, 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 208-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

~~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.]