

**PLANNING AND ZONING BOARD
CITY OF FORT LAUDERDALE
CITY HALL COMMISSION CHAMBERS – 1ST FLOOR
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, NOVEMBER 19, 2014 – 5:30 P.M.**

Cumulative

Board Members	Attendance	June 2014-May 2015	
		Present	Absent
Patrick McTigue, Chair	P	6	0
Leo Hansen, Vice Chair	P	6	0
Brad Cohen (arr. 5:55)	P	6	0
Stephanie Desir-Jean (arr. 5:38)	P	5	1
Michael Ferber	P	6	0
James McCulla	P	6	0
Michelle Tuggle	P	5	1
Tom Welch	P	5	1
Peter Witschen (arr. 5:55)	P	5	1

It was noted that a quorum was present at the meeting.

Staff

Ella Parker, Urban Design and Planning Manager
D'Wayne Spence, Assistant City Attorney
Jenni Morejon, Director Designee, Department of Sustainable Development
Adrienne Ehle, Urban Design and Planning
Eric Engmann, Urban Design and Planning
Linda Mia Franco, Urban Design and Planning
Jim Hetzel, Urban Design and Planning
Todd Okolichany, Urban Design and Planning
Yvonne Redding, Urban Design and Planning
Anthony Fajardo, Zoning Administrator
Alijah Alott, Senior Mobility Engineer
Al Battle, Director, Northwest Progresso-Flagler Heights CRA
Gene Dempsey, Urban Forester
Nancy Gassman, Assistant Public Works Director
Kimberly Pearson, Chief Landscape Plans Examiner
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair McTigue called the meeting to order at 5:34 p.m. and all stood for the Pledge of Allegiance. The Chair introduced the Board members, and Urban Design and Planning Manager Ella Parker introduced the Staff members present. Assistant City Attorney D'Wayne Spence explained the quasi-judicial process used by the Board.

Chair McTigue noted that Applicants and their agents are allowed 15 minutes to present their items; representatives of associations or groups are allowed five minutes to speak, and individuals are allowed three minutes.

II. APPROVAL OF MINUTES

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

III. AGENDA ITEMS

Index

<u>Case Number</u>	<u>Applicant</u>
1. T14012*	City of Fort Lauderdale / Unified Land Development Regulations (ULDR) Amendment
2. 3Z13*	City of Fort Lauderdale / Rezoning
3. A14025**	2301 SE 17 th Street, LLC / Pier 66 Improvement Program
4. R14031**	Madison Fort Lauderdale, LLC / Hampton Inn & Suites Fort Lauderdale Marina
5. T14011*	City of Fort Lauderdale / Comprehensive Plan Amendment – Water Supply Plan
6. T14013*	City of Fort Lauderdale / Unified Land Development Regulations (ULDR) Amendment

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.

Items 1 and 2 were heard together.

- | | | |
|----|------------------------------------|--|
| 1. | <u>Applicant / Project:</u> | City of Fort Lauderdale / Unified Land Development Regulations (ULDR) Amendment |
| | <u>Request:</u> | * Amendment to Section 47-13. Regional Activity Center Districts, Unified Development Regulations; Recommend creation of the Northwest |

Regional Activity Center – Mixed Use northeast (NWRAC-MU_{ne}),
Northwest Regional Activity Center – Mixed Use east (NWRAC-MU_e) &
Northwest Regional Activity Center – Mixed Use west (NWRAC-MU_w)
Zoning Districts

Case Number: T14012
General Location: Not Applicable
Case Planner: Linda Mia Franco
Commission District: City-wide

2. **Applicant / Project:** City of Fort Lauderdale / Rezoning

Request: * Rezone from Residential Low Rise Multifamily/Medium Density (RM-15) District, Community Business (CB) District, General Business (B-2), Heavy Commercial/Light Industrial Business (B-3) District and General Industrial (I) to Northwest Regional Activity Center – Mixed Use northeast (NWRAC-MU_{ne}), Northwest Regional Activity Center – Mixed Use east (NWRAC-MU_e) & Northwest Regional Activity Center – Mixed Use west (NWRAC-MU_w) Zoning Districts

Case Number: 3Z13
General Location: NW 6th Street (Sistrunk Boulevard) corridor from the Florida East Coast Railway to the east to NW 24th Avenue to the west & NW 7th Avenue from NW 6th Street (Sistrunk Boulevard) to the north and NW 2nd Street to the south & from the Florida East Coast Railway to the east to Andrews Avenue mid-block to the west to Sunrise Boulevard to the north and NW 6th Street (Sistrunk Boulevard) to the south.
Case Planner: Linda Mia Franco
Commission District: 3

Al Battle, Director of the Northwest Progresso-Flagler Heights Community Redevelopment Agency (CRA), provided a brief overview of the initiatives that led to the Item before the Board. The zoning changes presented and recommended by Staff are attempting to accomplish several goals:

- Preservation of the heritage and image of the area
- Recognition and preservation of history
- Highlighting key areas as entry points and using them as gateways
- Development of a comprehensive retail strategy
- Mixture of housing opportunities that can fit into all segments of the community
- Guidelines that further refine and reflect the desires of the community
- Connecting the area to jobs, services, transit, and public places
- Economic development of the Northwest CRA

Ms. Desir-Jean arrived at 5:38 p.m.

The Northwest district also includes two Regional Activity Centers (RACs), the Downtown RAC and Northwest RAC. He reviewed the history of the area leading up to

the creation of the Northwest CRA in 1995. In 2008, the CRA Implementation Plan was created. All efforts to address the area's needs included increased public investment and revitalization of the business district. Mr. Battle reviewed some of the investments made in the Northwest CRA through public-private partnerships, as well as investments in the community by the City, such as the Sistrunk Streetscape Enhancement Program, infill residential housing units, and commercial developments along the corridor.

Since the previous appearance of the Northwest CRA before the Planning and Zoning Board in 2013, Staff has held several outreach meetings with the community to gather feedback on the recommendations proposed to the Board. Mr. Battle concluded that Staff's recommendations have been shared with a number of civic groups, including the Northwest Progresso-Flagler Heights Redevelopment Advisory Board, the Greater Fort Lauderdale Chamber of Commerce, the Midtown Business Association, and others.

Anthony Fajardo, Zoning Administrator, reviewed the boundaries of land uses within the Northwest RAC, which was developed to promote a mixture of housing and commercial uses within the area. He showed a visual rendering of the three proposed zoning districts within the Northwest RAC, which are as follows:

- Mixed-Use Northeast District: this area is close to the boundary of transit-oriented development (TOD) in the Downtown area, but does not meet the criteria for TOD. Its primary difference from the other two zoning districts is in its uses.
- Mixed-Use East District: this area is designed with height criteria that differ from the western portion of the RAC.
- Mixed-Use West District: this area has slightly lower height criteria.

Mr. Cohen and Mr. Witschen arrived at 5:55 p.m.

The proposed amendment is intended to make the zoning process more predictable and streamlined, and to provide a greater sense of certainty to developers, property owners, and residents of the area so they know what is planned for their neighborhood. The amendment also reduces parking requirements, and eliminates certain uses such as liquor and convenience stores and pawnshops. The amendment is intended to establish a high-quality built environment with active ground floor uses, appropriate landscaping and street trees, courtyards and pocket parks, on-site parking behind buildings, and a mix of commercial and residential uses.

Linda Mia Franco, representing Urban Design and Planning, reviewed the amendment's proposed design standards, including:

- 10 ft. sidewalks on primary streets and 7.5 ft. sidewalks on secondary streets for new development only;
- Heights of up to 65 ft. by right in the north, northeast, and east, with City Commission approval required for greater height up to 110 ft.;
- Heights of 45 ft. by right in the west, with City Commission approval required for greater heights of up to 65 ft.

Ms. Franco explained that these heights, and the building envelope, address neighborhood compatibility issues within the corridor. The Code is intended to be a hybrid between a form-based Code and prescriptive regulations, which will work interchangeably with the zoning Code. If floor plate, height, and parking requirements are met, developers do not need to go through a lengthy approval process.

Ms. Franco continued that while there have been community concerns regarding the allowance of 150 ft. by right, neighborhood compatibility must also be addressed through additional stepbacks. This height could only be achieved by providing approximately five stories of parking, and with non-residential uses.

The Mixed-Use West District includes Sistrunk Boulevard and NW 10th Avenue, which contains many small lots that could be combined to form larger properties. The proposed regulations would allow for buildings up to three stories in height. The Mixed-Use West District also includes a transition zone to address neighborhood compatibility, with the first 45 ft. of shoulder height allowed by right; higher structures must step back another 15 ft. of shoulder height to provide distance between neighboring properties.

Ms. Franco noted that the communities within the Northwest RAC have met many times over the past 20 years and have expressed a desire for neighborhoods to retain their history and culture. She felt the new standards proposed by the amendments address these standards.

Mr. Fajardo advised that the proposed amendment would allow a mix of uses, including residential and non-residential, throughout the districts. Setback requirements would be modified to provide consistency on both major corridors and secondary streets. Most of the subject area directly abuts residential neighborhoods and would require compatibility, particularly through consistent height. This would allow 65 ft. by right and 110 ft. with City Commission approval in the Mixed-Use East and Northeast Districts, and 45 ft. by right and 65 ft. with City Commission approval in the Mixed-Use West District.

Standard parking regulations within the Northwest RAC would exempt properties from parking requirements for the first 2500 ft. of space, which is consistent with requirements in the Southwest and Downtown RACs. A 40% parking reduction is available on the remaining space after the first 2500 ft. are exempted. The amendment would primarily trigger Site Plan Level II review, which would be required of properties larger than 5000 ft. and adjacent to residential properties. Mixed use would be available through Site Plan Level III, or conditional use approval. The trigger to higher-level review would be requests for greater than the maximum heights by right.

Some of the current uses that would not be allowed under the amendment would become legal nonconforming uses, and would be allowed to remain in the Northwest

RAC. Mr. Fajardo concluded that the goal is to reestablish the area as an active, vibrant community.

The Board members discussed the presentation, including the heights allowed to developers by right, triggers for City Commission approval, and the criteria for this approval. Mr. Fajardo clarified that the intent is to allow projects that meet the intent and design standards of the amendment to be approved, which would streamline the existing process. Mr. Ferber pointed out that the amendment states projects going before the City Commission may be approved rather than will be approved, as there are no specific performance standards.

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

Sean Jones, developer, stated that he would like to see three changes to the proposed zoning amendment:

- Moving the boundary of the Mixed-Use East District from NW 7th Avenue to NW 9th Avenue;
- Changing the heights allowed by right within the Mixed-Use East and Northeast Districts from 65 ft. to 75 ft.;
- Raising the pedestal or shoulder height from 65 ft. to 75 ft.

Paul Hugo, representing Flagler Properties, advised that at present, developers may build commercial buildings of up to 150 ft. in height. He asserted that the proposed amendment would strip developers of their land rights, and spoke in favor of allowing a portion of the Northwest RAC to remain zoned for industrial development.

Arlon Kennedy, representing the Midtown Business Association, read a letter that was sent to members of the Planning and Zoning Board as well as to the City Commission. The letter stated that business and property owners as well as residents within the business district have been involved in the discussion of the amendment and feel these regulations would advance economic development in the area.

Mr. Kennedy concluded that the Association is supportive of most of the proposed amendment, with the following exceptions:

- Include permitted uses in the Mixed-Use West District, such as light manufacturing, textile, processing and assembly, and other uses;
- Supporting development that connects and includes the northwest section east of NW 9th Avenue to the redevelopment of Downtown, and moving the eastern boundary of the Northwest RAC to NW 9th Avenue.

Sonya Burrows, business owner and resident, provided approximately 218 letters and petitions in support of the proposed amendment, signed by business and property owners within the subject area as well as members of nonprofit organizations and churches. She asserted that she was in favor of the proposed changes.

Ms. Burrows advised that members of the community would prefer a height of three stories by right at 7th Avenue, although they agreed with five stories as a compromise. To the west of 9th Avenue, she noted that three stories would be more appropriate due to the proximity to residential areas. She urged Staff and the Board members to listen to the community's desires on the issue of changes to height requirements by right.

Xavier Gamble, private citizen, stated that he was supportive of the proposed changes except for the 45 ft. and 65 ft. heights by right. He did not wish to see heights greater than these in the subject area.

Lillian Small, private citizen, advised that while she is supportive of redevelopment, heights above three stories should not be allowed in the subject area. She explained that she did not want communities to lose their individual character and culture.

Keith Costello, representing the Greater Fort Lauderdale Chamber of Commerce, urged the Board to approve the proposed amendment, with the following modifications:

- Shift the Mixed-Use East District boundary to include properties to the west of NW 7th Avenue;
- Consider allowing increased or transitional height along the Sistrunk Corridor between NW 7th Avenue and NW 9th Avenue;
- Increase allowed height in the Mixed-Use East District from 65 ft. to 75 ft.

Sheryl Dickey, business owner, stated that while she supports the majority of Staff's recommendations, she would like to see uses such as light manufacturing included in the Northwest RAC. She also encouraged allowing the same development opportunities on both the east and west sides of 7th Avenue, including housing and mixed-use development as well as commercial.

Gino Jamison, private citizen, advised that most members of the community had believed the boundary of the Mixed-Use East District would be 9th Avenue. He advocated an increase in density in the subject area in order to allow businesses to thrive.

Iris Walker, private citizen, encouraged the City to take steps to redevelop its Northwest section.

Bobby Henry, publisher of the *Westside Gazette* newspaper, stated that he hoped the Board would take the community's wishes as expressed in the letters and petitions into account.

Beauregard Cummings, private citizen, also agreed with Staff's recommendations, including retaining medium density in the area.

Bernadette Norris Weeks, President of the River Garden Sweeting Estate Homeowners' Association, showed several photographs of vacant lots along this corridor, noting that in the public meetings she had attended, 9th Avenue was the preferred boundary of the Mixed-Use East District rather than 7th Avenue.

Ms. Weeks added that she did not feel Staff listened to the community's concerns that were expressed during the public meeting phase. She clarified that with respect to the areas between 7th Avenue and 9th Avenue that can be developed, the Mixed-Use East District boundary should be moved to 9th Avenue rather than 7th Avenue.

Mickey Hinton, representing the Durrs Homeowners' Association, asserted that he did not want additional development in the historic neighborhoods in the Northwest, and did not feel the community had been sufficiently involved in the decision-making process.

Jessie Adderley, private citizen, advised that the majority of the petitions submitted came from the Dorsey Riverbend neighborhood, where she is a resident. She stated that she fully supported Staff's recommendations.

Jana' Gray-Williams, private citizen, stated that the integrity of the Northwest community should be kept intact.

Jean Hinton, private citizen, stated she is in favor of redevelopment and low density. She added that not all meetings on the proposed amendment were open to the public.

Ella Phillips, Vice Chair of the Northwest Progresso-Flagler Heights Redevelopment Advisory Board, said she is open to redevelopment in the Northwest and supportive of Staff's recommendations.

Ron Centamore, President of the Progresso Village Civic Association, showed a PowerPoint presentation describing the boundaries of the Progresso Village neighborhood. He pointed out that to the west of 9th Avenue, the area becomes residential. He felt a shoulder height of 65 ft. by right was appropriate for this neighborhood, while the industrial areas of Progresso Village can accommodate a minimum height of 75 ft.

Doug Sterner, private citizen, said he supported Staff's recommendation to extend the Mixed-Use East District boundary to 9th Avenue. He did not feel a major artery such as 7th Avenue should serve as a transition point between zoning districts, as this would result in a lopsided streetscape.

Doug Coolman, Co-Chair of the Urban Core Subcommittee of the Broward Workshop, explained that this subcommittee was asked to assist in the proposed rezoning. He read a statement of the subcommittee's recommended revisions, which would modify the Mixed-Use Northeast District and Mixed-Use East District from a height by right of 65 ft. to 75 ft. and extend the East boundary to 9th Avenue.

Janice Hayes, private citizen, stated that she unequivocally supported Staff's recommendations.

Kathy Eggleston, business owner on Avenue of the Arts, stated that she supported the recommendations of Sean Jones and Sheryl Dickey. She asserted that jobs are needed on both the east and west sides of the Northwest RAC.

William Cone, Jr., private citizen, said he supports Staff's recommendations, and wished to see Sistrunk Boulevard become a corridor similar to East Las Olas.

Bob Bamonte, representing Holman Automotive, advised that this business is located in the Mixed-Use Northeast District. He felt Staff's recommendations offered something for everyone, as the height restrictions were accompanied by greater flexibility.

As there were no other members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

The Board members discussed the public comments, including the need to preserve the character of historic neighborhoods, promoting job creation, and the boundary on 7th Avenue as opposed to 9th Avenue. Vice Chair Hansen noted that most residents of the neighborhood had spoken in favor of Staff's recommendations. Mr. McCulla pointed out that there are no guidelines accompanying the 65 ft. height restriction that would give a developer favorable consideration if he wished to build to a greater height. He also expressed concern with the rezoning of industrial and business zoning districts included in the RAC, as he felt the rezoning limits the existing rights of these uses.

Mr. Fajardo explained that the original intent of the amendment had showed the proposed boundary at 9th Avenue rather than 7th Avenue; however, further community outreach led to a great deal of input urging Staff to move this boundary to the east. He clarified that all properties within 300 ft. of the boundaries were notified of tonight's hearing, in accordance with public notice requirements.

Ms. Desir-Jean commended Staff on their public outreach and address of community concerns. She cited Federal Highway as an example of a street with very different development styles on either side, and urged the Board to take the community's wishes into consideration. Ms. Parker pointed out that while the height may increase from one district to the next, criteria for streetscapes and building design are included in the proposed amendment.

Mr. Witschen stated that he shared this concern, and noted that he was in agreement with the movement of the Mixed-Use East District from 7th Avenue to 9th Avenue. He added that he agreed with the proposal to add assembly of goods as a permitted use within neighborhood standards.

Mr. Ferber noted that the tables of permitted uses included in the proposed amendment lists the uses permitted in the Downtown RAC and South RAC as well as the Northwest RAC. Mr. Fajardo clarified that the document only affects permitted uses in the Northwest RAC; no changes would be made to the uses in the other RACs.

Attorney Spence advised that while Items 1 and 2 were presented together, they must be voted upon separately.

Motion made by Vice Chair Hansen, seconded by Mr. McCulla, to approve [Item 1] as is.

Mr. McCulla proposed the following **amendment** to the **motion**: to add the recommendation that Staff establish a minimal list of guidelines for jumping from the as-of-right height to the City Commission [approval] height. Vice Chair Hansen accepted the **amendment**.

It was clarified that the addendum in Exhibit 4, which outlines the processes for City Commission approval, is included in the Item.

Vice Chair Hansen restated his **motion** as follows: **motion** to approve with the recommendation that Staff establish guidelines for the approval of the two different height levels that are beyond those that are stated as of right (45 and 65 ft.) and the addendum that was distributed at the meeting.

In a roll call vote, the **motion** passed 8-1 (Mr. Ferber dissenting).

Motion made by Vice Chair Hansen, seconded by Mr. Welch, to approve [Item 2].

In a roll call vote, the **motion** passed 7-2 (Mr. Ferber and Mr. McCulla dissenting).

Mr. Fajardo advised that the Items will go before the City Commission for approval on first reading on December 17, 2014, with a second reading to be scheduled in January 2015.

At this time the Board took a brief recess from 8:46 p.m. to 8:58 p.m.

- | | |
|---------------------------------------|--|
| 3. <u>Applicant / Project:</u> | 2301 SE 17 th Street, LLC / Pier 66 Improvement Program |
| Request: ** | Site Plan Extension Request |
| Case Number: | A14025 (fka 35R09) |
| General Location: | 2301 SW 17 th Street |
| Legal Description: | Tract "A", KIMBERLY PLAT, according to the plat thereof as recorded in PB 130, Page 1 of the PRBC, Florida |
| Case Planner: | Yvonne Redding |

Commission District: 4

Disclosures were made, and any members of the public wishing to speak on this Item were sworn in.

Janna Lhota, representing the Applicant, explained that the request was for an extension of time in which to apply for and obtain a building permit for improvements previously approved as part of a Site Plan and conditional use. The improvements are intended to renovate, upgrade, and expand the Pier 66 Hotel and Marina, and included renovation of interior spaces and guest amenities, including rooms, the pool, ballrooms, and the courtyard. Renovations approved by the Board in 2007 include:

- Addition of two 11-story mixed-use buildings containing hotel suites and residential units;
- Mixed-use three-story parking structure with retail;
- Four-story office building dedicated primarily to yacht brokerage space;
- Renovation of tennis courts into a 1.5-story parking garage.

In 2009, the Applicant obtained approval for the following changes to the site plan:

- A swath of uses between the mixed-use garage and office building;
- Reconfiguration of a portion of the surface parking lot;
- Elevation modifications and height increase to the office building.

The project's next phase is the complete reconstruction of the Pier 66 Marina, including the complete reconstruction of the existing basin, a reconfigured design to allow greater flexibility in the types and sizes of vessels to be accommodated, and reconstruction of the marina's linear docks.

As the marina improvements are substantially complete, the Applicant now wishes to proceed with the upland improvements. The Applicant has contacted the Harbor Beach Homeowners' Association and the Harbor Inlet Association, which has worked closely with the Applicant's team in the past. The Harbor Beach Homeowners' Association has reviewed proposed language that would limit the type and amount of construction on the property on Saturdays and/or Sundays. She concluded that this was believed to be the Applicant's final request for an extension.

Mr. Witschen requested clarification of the specific hardship faced by the Applicant. Ms. Lhota explained that hardships included issues during the permitting phase of the marina, as well as inability to simultaneously complete marina and upland improvements. Ms. Parker added that good cause criteria include delays caused by government action or inaction or other factors beyond the Applicant's control.

There being no further questions from the Board at this time, Chair McTigue opened the public hearing. As there were no members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

Yvonne Redding, representing Urban Design and Planning, advised that several extensions have been granted to projects through Florida Senate Bills 360 and 1752, as well as two Executive Orders following tropical storms Debbie and Isaac.

Motion made by Mr. Witschen to approve [an extension] for nine months.

The Board members discussed the proposed time frame for an extension, with Ms. Lhota pointing out that the project's current approval expired in October 2014. While the request is for a three-year extension, she advised that the Applicant was willing to amend the request to two years.

Mr. Witschen **amended** his **motion** as follows: [to approve an extension until] December 31, 2015. Mr. McCulla **seconded** the **motion**.

It was clarified that there is no limit to the number of extensions an Applicant may request.

Ms. Lhota requested that the Board consider a two-year extension, as the Phase 2 improvements constitute a multi-phased project on their own, including staging and planning in conjunction with existing hotel operations and events. She reiterated that the Applicant hopes to avoid requesting any further extensions from the Board.

The members discussed the request further, with Vice Chair Hansen expressing concern with the precedent that could be set by a three-year extension. Mr. Cohen noted, however, that a 13-month extension would simply bring the Applicant back before the Board once more, and recommended an extension of 24 months.

Mr. McCulla **withdrew** his **second** of Mr. Witschen's **motion**. Mr. Witschen then **withdrew** the **motion**.

Motion made by Vice Chair Hansen, seconded by Mr. Witschen, to give [the Applicant] an 18-month extension from the expiration date. In a roll call vote, the **motion** failed 4-5 (Chair McTigue, Mr. Cohen, Mr. McCulla, Ms. Tuggle, and Mr. Welch dissenting).

Motion made by Mr. Cohen, seconded by Ms. Tuggle, for 24 months. In a roll call vote, the **motion** passed 9-0.

- | | |
|---------------------------------------|--|
| 4. <u>Applicant / Project:</u> | Madison Fort Lauderdale, LLC / Hampton Inn & Suites Fort Lauderdale Marina |
| Request: ** | Site Plan Level III / Conditional Use / Parking Reduction / Waterway Use / Waterway Yard Reduction |
| Case Number: | R14031 |
| General Location: | 1335 SE 16 th Street |

Legal Description: A portion of Block 6, Herzfelds Addition to Lauderdale Harbors, According to the plat thereof, as recorded in plat book 35, page 22, of the public records of Broward County, Florida.

Case Planner: Jim Hetzel

Commission District: 4

Disclosures were made, and any members of the public wishing to speak on this Item were sworn in.

Stephanie Toothaker, representing the Applicant, showed multiple views of the Sundance Marina site, noting that the area is surrounded by multi-family residential, low-density residential, and business zoning. Uses permitted in B-1 zoning are hotels, automotive repair and sales, and hotels; hotel/marina uses are conditional in this district.

Ms. Toothaker explained that the site is currently approved for a dry-stack marina with an adjacent parking garage; however, the Applicant feels that the proposed Hampton Inn is a more compatible use for the site. The hotel will contain 178 rooms in an 81 ft. high building. The Applicant also requests a parking reduction to 143 spaces, which would include 134 spaces for the hotel and nine for the marina. She emphasized that the marina use on the site will come before the Board for separate approval. The Applicant also requests a yard modification on the waterway side.

Ms. Toothaker advised that the proposed hotel is a limited-service facility, as its typical patron stays for roughly one and one-half days and does not rent a car. This means the hotel would not need the normal parking requirement. The Applicant's traffic study showed 1300 trips associated with the project, which was characterized as a relatively low number. The Applicant also proposes mitigation in conjunction with its traffic impacts, including sidewalk improvements on 16th Street and a proposed all-way stop and pedestrian crosswalk at 16th Street and Cordova Road.

Ms. Toothaker reviewed the yard modification request as well, noting that because there is variation in the hotel, a portion of the structure is 10.5 ft. from the water's edge; however, for a significant portion of the site, the 20 ft. setback is improved with design elements including landscaping, paved walkways, waterfront seating, and an outdoor pool. She concluded that the hotel is a limited-service business that is responding to the demand generated by an increase in cruise traffic.

Jim Hetzel, representing Urban Design and Planning, stated that the proposed hotel and marina would replace the existing marina and dry storage facility on the subject property. The site is zoned B-1, in which hotel/marinas are a conditional use. The parking reduction request is for a 24% reduction. Staff has worked with the Applicant to mitigate this reduction by requiring both on- and off-site mitigation efforts included in a parking reduction order. The yard modification request reflects that the building is at 10

ft. 5 in. at its closest point and the parking structure at 10 ft. 8 in. at its closest point, and the retaining wall at 3 ft. 10 in. at its closest point to the waterway.

Staff recommends the following approval:

- Conditional use for hotel/marina;
- Parking reduction subject to conditions and off-site mitigation measures;
- Waterway use with yard modification;
- Project consistency with adequacy and neighborhood compatibility requirements.

Alijah Alott, Senior Mobility Engineer with the City of Fort Lauderdale, stated that the City has received numerous complaints and concerns regarding pedestrian mobility in the subject area, which led to the proposed mitigation efforts. The safest treatment allowing pedestrians to cross Cordova Road was determined to be a three-way stop sign. Mr. McCulla did not agree that this would improve safety, characterizing the stop sign as a complication to the intersection.

Ms. Alott added that the proposed development triggers a 1000-trip threshold, which triggers a traffic study to identify deficiencies in the surrounding network. Mr. Hetzel also noted that the Applicant provided a list of pedestrian connections that will occur from the hotel's guests to restaurants and other areas within the vicinity; the proposed measures are intended to improve the overall pedestrian environment.

Ms. Parker clarified that the Board may add a caveat to approval, stating that the proposed stop signs are part of Staff's recommendation based on their review of a traffic study. The Board may also recommend that the Applicant set aside funds for mitigation until the City determines a better use for traffic than the stop signs. Ms. Toothaker confirmed that this is the Applicant's intent.

It was also clarified that zoning Code does not distinguish between a limited-service hotel and a full-service or resort hotel. Should the structure be sold in the future, a new owner could not make significant changes to the facility, such as turning it into a resort facility, as this would trigger review for a change of use.

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

Marilyn Mammano, President of the Harbordale Civic Association, stated that the Applicant and his team had brought renderings before the Association. She asserted that the Association's members are supportive of the project, and concluded that the members were also impressed with the setting aside of funds to work on a difficult intersection.

Barbara Magill, President of Lauderdale Harbors, stated that this neighborhood is undecided regarding approval of the project. She emphasized that the impact of the project on traffic should be seriously considered before the project is approved.

Charles Bortell, private citizen, observed that the hotel/marina use will be very intensive on the subject property. He also advised that 16th Street is primarily a service alley rather than a roadway, and described the gridlock a driver might experience entering or exiting the hotel. He did not support the proposal of a three-way stop sign.

Fred Schmid, private citizen, also characterized 16th Street as an alley, and stated that the proposed development will increase traffic on Cordova Road and other nearby streets that serve cut-through traffic. He felt the proposed three-way stop sign would make the area more dangerous for pedestrians.

Jack Lowes, private citizen, provided a handout to the Board, stating that the proposed three-way stop sign would be located near the entry/exit to a Winn-Dixie, making it more difficult for vehicles to enter or exit this property. He asked that the Board remove any requirement for stop signs at 16th Street and Cordova Road.

John Milledge, attorney for Jack Lowes, stated that he was concerned no outreach was made to Mr. Lowes by the Applicant, as he is a property owner in the area. He felt the project could proceed if the proposed stop signs were removed from the proposal.

Attorney Spence clarified that the Item itself is not tied to a specific form of mitigation, and that the Board may apply conditions to the project as part of their vote. Ms. Parker advised that the Board may offer a revision to the proposed offsite mitigation condition, such as making a contribution toward traffic mitigation measures, without specifying what these measures may be.

Ms. Toothaker read the Applicant's voluntary conditions related to the Southport Raw Bar into the record:

- Ensure that hotel guests are required to park their vehicles in the hotel parking lot;
- Upon completion of construction, signage will be purchased to indicate that parking in Southport's lots is for customers of that business only, nor will construction workers use Southport's parking spaces during the hotel's construction phase;
- The dock configuration at the westernmost point of the hotel property is designed to not prevent access by boat to the southernmost dock at Southport;
- The dock adjacent to the Hampton Inn will be extended westward along the Southport parking lot, improving pedestrian access along the water between the two properties, if Southport provides legal access to its property in order to make these improvements;
- Hampton Inn will provide advertising of Southport Raw Bar at the hotel;
- During demolition of the existing building and construction of the hotel, adequate construction screening will be ensured at all times; Southport will also be reimbursed for reasonable costs associated with the exterior eastern portions of its property.

Ms. Toothaker reiterated that the Applicant also plans to make a \$51,898 contribution toward the design and implementation of an all-way stop condition at Cordova Road and SE 16th Street, including pedestrian crosswalks and Americans with Disabilities Act (ADA)-compliant ramps, in addition to the conditions above. Mr. Ferber pointed out, however, that the Board would not favor this condition, as it specifies the stop sign design to which the Board is opposed.

Motion made by Mr. Witschen, seconded by Mr. Cohen, that the money will be offered and will be [subject to] the unanimous consent of the adjacent property owners for whatever implementation is done by the money.

Following additional discussion, the **motion** was restated as follows: **motion** that the money will be offered and will be [subject to] the unanimous consent of the property owners along Cordova Road between 15th Street and 17th Street, and includes the Applicant's voluntary conditions relating to the Southport Raw Bar. In a roll call vote, the **motion** passed 9-0.

5. **Applicant / Project:** City of Fort Lauderdale / Comprehensive Plan Amendment – Water Supply Plan
- Request: *** Adopt the City's Water Supply Plan and Associated Comprehensive Plan Text Amendment to the Infrastructure, Capital Improvement and Conservation Elements. Involves updates to the City's Water Supply Facilities Work Plan as required in Florida Statutes.
- Case Number:** T14011
- General Location:** City-wide
- Case Planner:** Eric Engmann
- Commission District:** City-wide

Todd Okolichany, representing Urban Design and Planning, explained that the City is required to update its 10-year Water Supply Facilities Work Plan and provide corresponding language consistent with the Regional Water Supply Plan in the goals, objectives, and policies of the City's Comprehensive Plan. The intent of the Water Supply Plan is to ensure adequate water supply for current and future residents, as well as to strengthen the City's position, compete for funding assistance, ensure that local needs are considered by the South Florida Water Management District, and meet required Florida Statutes related to its adoption.

The proposed amendment to the Water Supply Facilities Plan updates several policies of the City's Comprehensive Plan to meet State statutory requirements. It specifically adopts the updated Water Supply Plan as part of the Comprehensive Plan's infrastructure element, as well as several other updates to the infrastructure, conservation, and capital improvement elements.

Mr. Okolichany explained that the amendment outlines the current and future demand and capacity for water supply within the City. It does not include any attached spending requirements or future infrastructure.

The Board discussed the proposed amendment, noting that the proposed goal of the reduction of water usage per capita is also mentioned in the City's Consumptive Use Permit.

There being no further questions from the Board at this time, Chair McTigue opened the public hearing. As there were no members of the public wishing to speak on this Item, Chair McTigue closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Witschen, seconded by Ms. Desir-Jean, to approve, with concerns on the [amount] of future consumption. In a roll call vote, the **motion** passed 9-0.

6. **Applicant / Project:** City of Fort Lauderdale / Unified Land Development Regulations (ULDR) Amendment
- Request: *** Amendments to ULDR Section 47-21, Landscaping and Tree Preservation Requirements, to provide for requirements for Florida-Friendly Landscaping™ criteria.
- Case Number:** T14013
- General Location:** City-wide
- Case Planner:** Anthony Fajardo / Adrienne Ehle
- Commission District:** City-wide

Motion made by Mr. McCulla, seconded by Mr. Cohen, to defer [the Item] until next month. In a voice vote, the **motion** passed unanimously.

IV. Communication to the City Commission

None.

V. For the Good of the City of Fort Lauderdale

The Board agreed by unanimous consensus that the next meeting would be held on December 18, 2014.

There being no further business to come before the Board at this time, the meeting was adjourned at 10:41 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

Chair

K. E. McGuire

Prototype

Brigitte Chiappetta

[Minutes prepared by K. McGuire, Prototype, Inc.]