



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#17-0385

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: April 4, 2017

TITLE: Quasi-Judicial Review of a Plat Application – Plat Known as “Galleria”
Located at 2620 E. Sunrise Blvd – Keystone-Florida Property Holding
Corp. – Case Number PL14012

Recommendation

It is recommended that the City Commission adopt a resolution denying the plat known as Galleria.

Background

The applicant, Keystone-Florida Property Holding Corp., is proposing to plat 1,493,265 square feet (33.4 acres) of land located at 2414 East Sunrise Boulevard, commonly known as the “Galleria Mall”. The plat application excludes a portion of Tract “B” of the Replat of a Portion of Sunrise Center Tracts “A”, “B”, and “C” recorded in plat book 28, page 42 that is owned and operated by Dillard Department Stores Inc. The plat is provided as Exhibit 1.

Platting requirements established by state law and county and local land use plans and ordinances provide the minimum requirements necessary for the regulation and control of the platting of lands. Pursuant to Section 47-24.5.B.5 of the Unified Land Development Regulations, City of Fort Lauderdale, Florida the proposed plat shall bear a notation indicating the development level at which staff is to review for adequacy of services. The proposed plat includes the following plat note restriction:

“This plat is restricted to 1,300,000 square feet of commercial use (1,145,994 existing 154,006 proposed), 6,500 square feet of bank, 1,055 high rise units, 181 retirement community units, and 14 townhouse units.”

The plat note proposes residential uses on land designated commercial on the County and City’s land use plan. Residential uses on commercially designated lands can only be permitted through the allocation of residential flexibility units, as was proposed by the “Live Galleria” Innovative Development (ID) application. The Planning and Zoning Board recommended approval of the plat conditioned upon the allocation of flex associated with the Live Galleria ID application. Due to the denial of the ID application there has been no allocation of residential flexibility units consistent with the Planning

and Zoning Board's conditions of approval, therefore the proposed plat does not comply with the applicable permitted uses of the underlying land use and zoning designation, and staff is recommending denial of the plat.

The City's Development Review Committee (DRC) reviewed the plat application on October 28, 2014. The application and record are available for review upon request with the Department of Sustainable Development. The applicant's narrative responses to Sections 47-24.5 and 47-25.2 of the Unified Land Development Regulations (ULDR), applicable to Subdivision Regulations are provided as Exhibit 2.

The plat application was reviewed concurrently with an associated Site Plan Level IV development and rezoning application for the property for a project called "Live Galleria". The proposed project required a rezoning of the property to Innovative Development zoning ("ID"). Both applications traveled concurrently and were reviewed on the October 19, 2016, by the Planning and Zoning Board (PZB).

The PZB voted (6-2) to deny the ID rezoning request and deferred the plat application to the November 16, 2016, PZB agenda, where the plat was approved (6-1) with the following conditions:

1. Plat approval, as proposed, shall be subject to the approval of flex unit allocation associated with the Site Plan Level IV development application for Galleria Innovative Development;
2. In the event, the Site Plan Level IV development application for Galleria Innovative Development does not receive final approval by the City Commission, the applicant shall revise the plat note restrictions consistent with the permitted uses in the applicable zoning districts; and
3. Applicant shall obtain a new School Capacity Availability Determination by Broward County School Board prior to final plat approval.

The November 16, 2016, PZB meeting minutes and staff report are attached as Exhibits 3 and 4 respectively, and proof of ownership is attached as Exhibit 5.

The City Commission shall consider the application, the record, and recommendations forwarded by the DRC, the department and the PZB, and shall hear public comment on the application to determine whether the proposed plat satisfies the provisions of Section 47-24.5 of the ULDR, and other applicable land development regulations. Staff received a letter from the applicant indicating the applicant's willingness to amend the plat note to comply with current zoning and land use. A copy of the letter is attached as Exhibit 6.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Neighborhood Enhancement Cylinder of Excellence, specifically advancing:

- Goal 6: Be an inclusive community made up of distinct, complementary, and diverse neighborhoods.
- Objective 2: Ensure a range of housing options for current and future neighbors.

This item advances the *Fast Forward Fort Lauderdale Vision Plan 2035: We Are Prosperous*

Attachments

Exhibit 1 - Plat

Exhibit 2 - Applicant's Narrative

Exhibit 3 - 11/16/16 PZB Minutes

Exhibit 4 - 11/16/16 PZB Staff Report

Exhibit 5 - Proof of Ownership

Exhibit 6 - Applicant Letter Dated February 17, 2017

Exhibit 7 - Approval Resolution

Exhibit 8 - Denial Resolution

Prepared by: Jim Hetzel, Principal Planner

Department Director: Anthony Greg Fajardo, Sustainable Development