



CITY OF FORT LAUDERDALE

**PLANNING AND ZONING BOARD  
CITY OF FORT LAUDERDALE  
CITY HALL – CITY COMMISSION CHAMBERS  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA  
WEDNESDAY, OCTOBER 18, 2017 – 6:30 P.M.**

**Cumulative**

<b>Board Members</b>	<b>Attendance</b>	<b>June 2017-May 2018</b>	
		<b>Present</b>	<b>Absent</b>
Leo Hansen, Chair	P	5	0
Catherine Maus, Vice Chair	P	4	1
John Barranco	P	5	0
Stephanie Desir-Jean (arr. 6:58)	P	3	2
Howard Elfman	P	5	0
Steven Glassman	P	4	1
Rochelle Golub	P	5	0
Richard Heidelbergberger	P	2	3
Alan Tinter	P	5	0

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

**Staff**

Ella Parker, Urban Design and Planning Manager  
Gus Ceballos, Assistant City Attorney  
Jim Hetzel, Urban Design and Planning  
Florentina Hutt, Urban Design and Planning  
Tyler Laforme, Urban Design and Planning  
Benjamin Restrepo, Department of Transportation and Mobility  
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

**I. CALL TO ORDER / PLEDGE OF ALLEGIANCE**

Chair Hansen called the meeting to order at 6:30 p.m. and all recited the Pledge of Allegiance. The Chair introduced the Board members present, and Urban Design and Planning Manager Ella Parker introduced the Staff members present.

**II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM**

Mr. Tinter noted the following correction to p.4, paragraph 6 of the September 18, 2017 minutes: the statement referring to signs installed above the first floor should specify that this applies to multi-story buildings.

**Motion** made by Mr. Tinger, seconded by Ms. Golub, to approve as corrected. In a voice vote, the **motion** passed unanimously.

### III. PUBLIC SIGN-IN / SWEARING-IN

### IV. AGENDA ITEMS

#### Index

<u>Case Number</u>	<u>Applicant</u>
1. ZR17005* **	840 SW 24 <sup>th</sup> Street, LLC
2. R16045**	15 Isle of Venice, LLC
3. R17040**	Rahn Bahia Mar, LLC

#### **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.

It was noted that the Applicant for Item 2 had requested deferral to a later date.

**Motion** made by Mr. Glassman, seconded by Vice Chair Maus, to defer [to the November meeting]. In a voice vote, the **motion** passed unanimously.

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<b>1. CASE:</b>	<b>ZR17005</b>
<b>REQUEST: * **</b>	Rezoning from Single Family / Low Medium Density (RS-8) District to Community Business (CB) District with Allocation of .30 Acres of Commercial Flex for 6,637 Square Feet of Retail Use
<b>APPLICANT:</b>	840 SW 24 <sup>th</sup> Street, LLC.
<b>PROJECT NAME:</b>	Retail Building (840 State Road 84)
<b>GENERAL LOCATION:</b>	840 SW 24 <sup>th</sup> Street
<b>ABBREVIATED LEGAL DESCRIPTION:</b>	A portion of lots 2, 3, 4, 5, 6 and 26 in Block 1 of "Lakeway", according to the Plat thereof recorded in Plat Book 11, Page 7 of the Public Records of Broward County, Florida



<b>ZONING DISTRICT:</b>	Boulevard business (B-1) and Residential Single Family / Low Medium Density (RS-8)
<b>PROPOSED ZONING:</b>	Community Business (CB)
<b>CURRENT LAND USE:</b>	Commercial and Low Medium Density
<b>COMMISSION DISTRICT:</b>	4 – Romney Rogers
<b>CASE PLANNER:</b>	Florentina Hutt

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

Chair Hansen advised that individuals speaking on their own behalf would have three minutes' speaking time, while individuals representing groups or associations would be granted five minutes. Presenters of Applications are given 30 minutes.

Gus Carbonell, representing the Applicant, stated that the subject site is the former location of a Shell station, which has been demolished. A new retail building is proposed for the property, a portion of which is presently zoned RS-8. In order to redevelop the site, it is necessary to rezone the property to CB, which is the most restrictive commercial zoning category.

Mr. Carbonell recalled that several years ago, a Master Plan for the surrounding neighborhood was submitted to the City. It recommended that all lots located along this portion of State Road (SR) 84 be rezoned as commercial properties to attract better development. The proposed project has received approval from the Florida Department of Transportation (FDOT) and will provide only one ingress point from SR 84. While 28 parking spaces are required, 30 spaces will be provided.

Mr. Glassman commented that the Edgewood Civic Association, which participated in the public meeting(s) associated with the Application, has requested that the Development Review Committee's (DRC's) requirement for offsite parking along SW 25<sup>th</sup> Street not be met. Mr. Carbonell explained that the City's Department of Transportation and Mobility was in favor of on-street parking; however, all parking for the project is located on-site. The community expressed a preference for additional green space and buffer areas rather than on-street parking.

Mr. Glassman asked why the Applicant would advise neighborhood associations that no vote of support was necessary for the project. Mr. Carbonell replied that no participants in the public meetings provided negative feedback. The Applicant did not receive formal letters of support from representatives of the neighborhood associations.

Ms. Golub asked if the project is being built without a prospective tenant. Mr. Carbonell confirmed this, adding that Code requires the project's rezoning and Site Plan be

reviewed at the same time. Ms. Golub expressed concern with the Application, stating that constructing a building without knowing the tenant makes on-site parking susceptible to error. She asked if the project is expected to house more than one business.

Chair Hansen asserted that most retail space is built without a specific tenant in mind. He also noted that most retail functions fall under the same category for their type of use, which require the same parking ratio.

Mr. Carbonell added that the planned building is approximately 7000 sq. ft. in size and includes a façade that may be able to accommodate multiple tenants. The site is not intended for restaurant use.

Ms. Golub continued that the Site Plan does not seem to reflect a commitment to green space in lieu of on-street parking. Mr. Carbonell showed a rendering including 12 ft. City swales from 9<sup>th</sup> Avenue to the subject property, as well as a 10 ft. landscape buffer on the property itself. The Applicant has complied with Staff's recommendation to place the sidewalk inside its property along 9<sup>th</sup> Avenue.

Mr. Tinter asked if the Board may include conditions when approving rezoning, such as prohibition of restaurants or other specific uses. Ms. Parker advised that the proposed use is retail: the Applicant is not requesting rezoning for restaurant use. Mr. Tinter asked if the Board may restrict additional uses that may be proposed within the building. Ms. Parker replied that the Board may not restrict uses that are permitted within the requested zoning category. If the Applicant decided, for example, to allow restaurant use in the future, he must come back before the Board with an amended Site Plan.

Mr. Tinter requested confirmation that the Applicant has received a pre-application approval letter from FDOT. Mr. Carbonell stated that the Applicant has met with FDOT multiple times in relation to the project. A traffic statement prepared for the Applicant shows that the project is expected to generate minor traffic. The City's Department of Transportation and Mobility has also signed off on this statement.

Florentina Hutt, representing Urban Design and Planning, advised that the request is for Site Plan Level IV review to rezone a property from Single-Family with low medium density to Community Business, with 0.35 acre of commercial flex use for a 6637 sq. ft. retail use. The project has been reviewed by the DRC and all comments have been addressed.

Staff reviewed the project according to various sections of Code, including Interdistrict Corridor requirements, as the project lies within the Interdistrict Corridor along SR 84. These requirements include 75% frontage and 35% building transparency. The proposed building includes a 20 ft. setback from the curb and 60% frontage. A reduction may be allowed for access into the site. The project provides 40% transparency and



displays architectural features required within the Interdistrict Corridor, including a 7 ft. sidewalk, improved streetscape design, and awnings above windows.

The allocation of commercial use on designated parcels is allowed if the allocation does not exceed 5% of the total land use area within the flex zone. There are presently 38.4 acres available within the flex zone, of which the proposed project will occupy 0.35 acre. Staff feels the project is compatible with the surrounding area due in part to its landscape buffer and sidewalk improvements. Ingress and egress are provided from both SR 84 and SW 9<sup>th</sup> Avenue. The Applicant has met public participation requirements. Staff recommends approval of the Application.

Mr. Glassman addressed the availability of water/wastewater capacity as cited in a letter dated May 1, 2017, noting that the DRC met prior to receipt of this letter. He asked if the flow calculations in this letter have been approved by the City's Public Works Department. Ms. Parker replied that the letter was part of the technical review required to determine adequacy, although she noted that she could not speak to the accuracy of the flow calculations.

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

**Motion** made by Mr. Elfman, seconded by Mr. Tinter, to approve. In a roll call vote, the **motion** passed 8-0.

<b>3. CASE:</b>	<b>R17040</b>
<b>REQUEST: **</b>	Site Plan Level IV Review: Mixed Use Development with 651 Residential Units, 118,815 Square Feet Retail, 26,123 Square Feet Restaurant Use, 6,000 Square Feet Marina and 256-Room Hotel
<b>APPLICANT:</b>	Rahn Bahia Mar, LLC.
<b>PROJECT NAME:</b>	Bahia Mar
<b>GENERAL LOCATION:</b>	801 Seabreeze Boulevard
<b>ABBREVIATED LEGAL DESCRIPTION:</b>	Bahia Mar 35-39 B All Bahia Mar Lying W of Seabreeze Blvd r/w Less Parcel 1 & Less N 80 of Parcel 34, and Less Portion Lying Within r/w for S ST RD A1A Per Misc MB 8-149 & 8-185
<b>ZONING DISTRICT:</b>	South Beach Marina and Hotel Area District (SBMHA)
<b>CURRENT LAND USE:</b>	Central Beach Regional Activity Center (C-RAC)
<b>COMMISSION DISTRICT:</b>	2 – Dean Trantalis
<b>CASE PLANNER:</b>	Jim Hetzel

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In a roll call vote, the **motion** passed 6-3 (Chair Hansen, Vice Chair Maus, and Mr. Glassman dissenting).

#### **V. COMMUNICATION TO THE CITY COMMISSION**

Mr. Tinter suggested that at the next scheduled meeting, the Board discuss the overall impact of developments within the Downtown RAC, which may not be individually significant in terms of traffic impact but have a collective effect. He recommended further analysis by the City to consider the total impacts of this traffic.

Ms. Desir-Jean suggested that a workshop could address this issue in greater detail. Chair Hansen requested that Mr. Tinter submit this suggestion in writing to Ms. Parker, who could distribute it to the Board prior to discussion at a future meeting.

#### **VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE**

Ms. Parker advised that there are two prospective meeting dates on the 2018 calendar that the Board may wish to change: September 19, 2018, which falls on Yom Kippur, and November 21, 2018, which is the day before Thanksgiving. She suggested the alternate dates of September 17, 2018 and November 14, 2018. The Board agreed with these proposed changes by unanimous consensus.

There being no further business to come before the Board at this time, the meeting was adjourned at 11:06 p.m.

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



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Chair



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Prototype

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