PLANNING AND ZONING BOARD
CITY OF FORT LAUDERDALE
CITY HALL – CITY COMMISSION CHAMBERS
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, MAY 16, 2018 – 6:30 P.M.

Cumulative

		June 2017-May 2018	
Board Members	**Attendance**	**Present**	**Absent**
Catherine Maus, Chair	P	11	1
Howard Elfman, Vice Chair	A	10	2
John Barranco	A	11	1
Brad Cohen	P	2	1
Mary Fertig	P	3	0
Rochelle Golub	P	11	1
Richard Heidelberger	P	9	3
Jacquelyn Scott	P	2	0
Alan Tinter	P	11	1

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

Staff
Ella Parker, Urban Design and Planning Manager
Shari Wallen, Assistant City Attorney
Karlanne Grant, Urban Design and Planning
Jim Hetzel, Urban Design and Planning
Nicholas Kalargyros, Urban Design and Planning
Randall Robinson, Urban Design and Planning
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Maus called the meeting to order at 6:32 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

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

III. PUBLIC SIGN-IN / SWEARING-IN

Any individuals wishing to speak on any Items on tonight's Agenda were sworn in at this time.

IV. AGENDA ITEMS

Index

	Case Number	Applicant
1.	R17037**	Florida Power & Light
2.	R17028**	Andrews Project Development, LLC
3.	V18004**	Andrews Project Development, LLC
4.	V18005**	Andrews Project Development, LLC
5.	V18001**	195 Federal, LLC
6.	R17042**	ALTA Flagler Village II, LLC
7.	T18002*	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.

Motion made by Ms. Golub, seconded by Mr. Heidelberger, to defer [Item 1] until the June meeting. In a voice vote, the **motion** passed unanimously.

It was determined by consensus that the Board would hear Items 2, 3, and 4 presented together and would vote upon each item separately.

2.	**CASE:**	**R17028**
	REQUEST: **	Site Plan Level III Review: Conditional Use for Convenience Store within Shopping Center in Northwest Regional Activity Center (NW-RAC)
	APPLICANT:	Andrews Project Development, LLC.
	PROJECT NAME:	Progresso Commons
	GENERAL LOCATION:	947 N Andrews Avenue
	ABBREVIATED LEGAL DESCRIPTION:	Lots 1 and 48, less the north 15 feet of said lots; and lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, in Block 209, of Progresso, according to the plat thereof, as recorded in Plat Book 2, Page 18, of the public records of Miami-Dade County, Florida; said lands situate, lying and being in Broward County, Florida.
	ZONING DISTRICT:	Northwest Regional Activity Center – Mixed Use Northeast (NWRAC-MUne)
	LAND USE:	Northwest Regional Activity Center (NW-RAC)
	COMMISSION DISTRICT:	2 – Steve Glassman
	CASE PLANNER:	Nicholas Kalargyros

Continued from the March 21, 2018 Agenda

3.	**CASE:**	**V18004**
	REQUEST: **	Vacation of Right-of-Way: 15-Foot Alley Reservation
	APPLICANT:	Andrews Project Development, LLC.
	PROJECT NAME:	Progresso Commons Alley West
	GENERAL LOCATION:	East of NW 2nd Avenue, south of W Sunrise Boulevard, west of NW 1st Avenue and north of NW 9th Street
	ABBREVIATED LEGAL DESCRIPTION:	A Portion Of The 15 Foot Wide Alley Dedication Lying Within The Following Described Lots In Block 209, "Progresso", According To The Plat Thereof, As Recorded In Plat Book 2, Page 18, Of The Public Records Of Dade County, Florida
	ZONING DISTRICT:	Northwest Regional Activity Center – Mixed Use northeast (NWRAC-MUne)
	LAND USE:	Northwest Regional Activity Center (NW-RAC)
	COMMISSION DISTRICT:	2 – Steven Glassman
	CASE PLANNER:	Nicholas Kalargyros

4.	**CASE:**	**V18005**
	REQUEST: **	Vacation of Right-of-Way: 15-Foot Alley Reservation
	APPLICANT:	Andrews Project Development, LLC.
	PROJECT NAME:	Progresso Alley East
	GENERAL LOCATION:	East of NW 1st Avenue, south of W Sunrise Boulevard, west of N Andrews Avenue and north of NW 9th Street
	ABBREVIATED LEGAL DESCRIPTION:	A Portion Of The 15 Foot Wide Alley Dedication Lying Within The Following Described Lots In Block 210, "Progresso", According To The Plat Thereof, As Recorded In Plat Book 2, Page 18, Of The Public Records Of Dade County, Florida
	ZONING DISTRICT:	Northwest Regional Activity Center – Mixed Use northeast (NWRAC-MUne)
	LAND USE:	Northwest Regional Activity Center (NW-RAC)
	COMMISSION DISTRICT:	2 – Steven Glassman
	CASE PLANNER:	Nicholas Kalargyros

Disclosures were made at this time.

Debbie Orshefsky, representing the Applicant, recalled that the project has previously come before the Planning and Zoning Board. The subject parcel has been vacant for some time and was recently cleared by the owner/developer. A small adjacent parcel with two buildings includes existing uses and is considered a transitional area.

The Site Plan is for a unified shopping center anchored by an Aldi supermarket and including a Wawa restaurant. At an early community meeting, representatives of the Progresso Village Civic Association requested that a sit-down restaurant be included on the site. One freestanding building will be able to accommodate both a restaurant and some retail uses. The resulting corner property development is intended to create a more pedestrian-friendly neighborhood.

The Aldi and Wawa will have two entrances from roadways, which allows for circulation throughout the site. There are also plans for internal pedestrian circulation areas with landscaping and pavers. The site will include connectivity to sidewalks, which will be enlarged to 10 ft. in width. The Applicant also plans to provide additional sidewalks.

Mr. Tinter observed that the Site Plan seems to respond to comments made when the Applicant came before the Board some time ago to seek vacation. He asked if the plat has already been approved by the County. Ms. Orshefsky advised it is currently in process, as the City Commission has not given approval until all vacations were complete.

Mr. Tinter expressed concern with plans for a 31 ft. throw from the right-of-way line to the first aisle of the parking lot, noting that the typical requirement is for 50 ft. He added

that there are also concerns regarding a driveway entrance from Andrews Avenue, which he felt may be redundant due to the other entrances. He concluded that he was also concerned with the channelization of some of the property's entrances and exits onto the roadways.

Ms. Orshefsky advised that the Applicant's team worked closely with the Department of Transportation and Mobility regarding the entrance from Andrews Avenue. A traffic study was conducted to review this issue, and the Department was comfortable maintaining the extra driveway due to site circulation. Mr. Tinter commented that the Board members were not provided with a copy of this study.

Ms. Orshefsky continued that while the Applicant sought to eliminate a turn lane on Sunrise Boulevard, it was eventually allowed to remain. Mike Troxell, also representing the Applicant, submitted a letter of no objection from Broward County regarding plat review. Where the letter requires 25 ft. of distance on Sunrise Boulevard between the non-vehicular access line and the first parking space or interior drive aisle, the Applicant has provided 31 ft.

Mr. Troxell also addressed concerns regarding channelization, stating that neither Broward County nor the Florida Department of Transportation (FDOT) requires the Applicant to include channelization for any of its driveways. Mr. Tinter pointed out that the County's plat restricted the property to a right turn in/right turn out only. Ms. Orshefsky replied that the Applicant will review channelization as part of the final Development Review Committee (DRC) process to determine whether or not it interferes with truck access to the site. If the County approves, the Applicant will further discuss the possibility of channelization.

Mr. Cohen asked where trucks serving the supermarket will enter and exit the property. Ms. Orshefsky replied that they will enter from NW 2nd Avenue and back into the property. Turning movement sheets have been provided. Garbage pickup for the planned restaurant is likely to have access from Andrews Avenue.

Nicholas Kalargyros, representing Urban Design and Planning, stated that the Applicant requests conditional use approval for a multi-purpose convenience store within a shopping center in the Northwest Regional Activity Center (RAC). The project is known as Progresso Commons and will include three tenants in its buildings. The request is subject to ULDR criteria regarding liquor and convenience stores, conditional use, adequacy requirements, and design standard applicability.

Prior to tonight's presentation, the project has come before the Planning and Zoning Board multiple times for plat approval, right-of-way vacation, and rezoning. The City Commission has approved the rezoning request, although the plat and right-of-way vacation has not yet come before the Commission for approval. The Applicant has obtained a variance from the Board of Adjustment (BOA) regarding the distance requirements between automotive service stations and parks.

Convenience store multi-purpose use may be permitted within the Northwest RAC, subject to the approval of a conditional use permit. Criteria for conditional use include the following:

- Development must be located within a shopping center with a minimum of 25,000 sq. ft. gross floor area and at least three different commercial establishments
- Contains an area devoted to the preparation, service, consumption, and sale of fresh or freshly prepared food and sale of automotive fuel with fuel pumps, but does not offer automotive repair
- Impact on abutting properties is evaluated under neighborhood compatibility requirements, including consideration for access and adjacent roadway capacity, traffic generation characteristics
- Applicant must show that the location of the use or structure is not in conflict with the City's Comprehensive Plan
- Off- or on-site conditions exist to reduce the impact of permitting the use or structure
- Location of the use in proximity to similar uses does not affect the character of the zoning district in which the use is located or affect the health and safety of adjacent properties

Mr. Kalargyros continued that the impact of the site's water and wastewater utilities on public facilities will be provided by the City. A capacity letter from the Public Works Department identified additional demand on these services, which is expected to increase, as the site is currently vacant.

The site contains three direct vehicular access points: one from Sunrise Boulevard and two from Andrews Avenue. Additional access from Sunrise Boulevard is provided via NW 2nd Avenue, which reaches a dead end prior to the residential neighborhood to the south.

Parking requirements in the Northwest RAC may be reduced to 60% of required parking for a project. This resulted in a required amount of 164 spaces. The Applicant proposes to include 250 spaces as well as additional bicycle parking.

The project is located within the Northwest Progresso-Flagler Heights Redevelopment Plan Area and meets this area's goal of reducing blight by using City design guidelines and development standards unique to the area. These standards affect building orientation, architectural requirements, open space, vehicular and pedestrian access, building materials, active ground floor uses, and streetscape design. The Applicant will encourage multimodal transportation methods in order to reduce the effects of traffic. These methods include installation of bus shelters, well-defined access points, and bicycle parking. Internal connectivity exists between the uses within the project.

The Applicant has provided a public participation summary reflecting meetings held in January 2018. Mr. Kalargyros noted that additional extensive public participation

meetings were held to offer the neighborhood an opportunity to learn about and make suggestions for the proposed project. The Progresso Village Civic Association provided a letter of support for the proposed development. Staff recommends approval of the request.

Mr. Tinter noted that a pedestrian signal on Sunrise Boulevard is being eliminated by FDOT, and asked if construction of the turn lanes would be coordinated with the removal of this signal. Ms. Orshefsky confirmed that coordination would occur.

Ms. Golub asked what changes were made by the Applicant to turn the project into a shopping center, pointing out that there are no plans that bring the three buildings together. Mr. Kalargyros replied that the ULDR defines a shopping center as “a group of commercial establishments, planned, developed, owned, and managed as a unit, with common off-street parking, meeting the total requirements of [ULDR] 47-20, Parking and Loading Requirements, on property related in the location, size, [and] type of shops to the trade area it serves, and using a common name.” He concluded that Staff feels the proposed project fits within this definition.

Ms. Golub addressed multimodal transportation, pointing out that bicycle racks and a bus stop may not be useful amenities for a gas station and a grocery store. Mr. Kalargyros advised that the property’s entrances face the primary streets, which provides easier access for pedestrians and bus riders to reach the amenities. He further clarified that the convenience store will be allowed to sell alcohol.

Ms. Golub continued that the plans for the project do not include glazing or “eyes on the street” from the parcel’s structures. She was not certain that the project met the definitions for this consideration or for multimodal transportation, in addition to her concerns regarding neighborhood compatibility and the definition of a shopping center.

Ms. Parker advised that Staff worked closely with the Applicant, as they recognized that the planned uses for the site, as well as the location within an RAC, have requirements that make it difficult to implement urban design solutions. The intent was to create a corner project that accommodates the planned uses’ need for storage as well as the activity within the buildings. The perimeter of the parcel follows an urban form and edge, which Staff felt meet the required criteria.

Ms. Golub requested further clarification of plans for the improved pedestrian walkway. Mr. Kalargyros stated that the site includes two bus stop locations, which are connected to the sidewalks on Andrews Avenue and Sunrise Boulevard.

Ms. Fertig addressed the letter of availability for water/wastewater utility, requesting that future letters of this nature reflect a recent study citing reduction of this capacity. She expressed concern that capacity may be overestimated for future developments if this is not corrected.

Mr. Kalargyros reported that the Applicant also requests vacations of two separate 15 ft. wide portions of public right-of-way reserved for an alley, although there are no alleys in the reserved areas. The vacations had been reserved for parcels previously secured for proposed development. Right-of-way vacations are subject to the following criteria:

- Right-of-way or other public space is no longer needed for public purpose
- Alternative routes, if needed, are available and create no adverse effects for surrounding areas
- Closure of the right-of-way provides a safe area for vehicles to turn around and exit the area
- Closure of the right-of-way shall not adversely affect pedestrian traffic
- All utilities located within the right-of-way or other public space have been or will be relocated, and owner(s) of utility franchise(s) has consented to the vacation; or utilities easement has been retained over the right-of-way area; or an easement in a different location has been provided for the utilities to the satisfaction of the City, and utilities maintenance shall not be disrupted

The Applicant has provided letters of no objection from the utility providers as well as the City. Staff concurs with their assessment and recommends approval of the vacations with the following conditions:

- Any City infrastructure, known or unknown, and found to be within the vacated area shall be relocated at the expense of the Applicant, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department
- Any other utility infrastructure, known or unknown, and found to be within the vacated area shall be relocated at the expense of the Applicant, and the relocated facilities shall be required to be inspected and accepted by the utility agency and service provider
- Vacating Ordinance shall be in full force and effect on the date the certificate executed by the City Engineer is recorded in the public record of Broward County, Florida; the certificate shall state that all conditions of vacation have been met, and a copy of the recorded certificate must be provided to the City

Mr. Tinter asked if the Applicant is requesting half of the right-of-way of the southern portion of the alley. Mr. Kalargyros confirmed that the Applicant is requesting 7.5 ft. of this right-of-way. The other half will not be vacated as part of the Application.

Ms. Golub asked if the Applicant has submitted a unified management contract or assured the City that such a contract will be in effect. Mr. Kalargyros advised that the Applicant has provided documentation showing that the property will be owned and managed by a single entity.

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

Jerry Carter, private citizen, stated that the surrounding neighborhood has concerns related to the traffic moving south from Sunrise Boulevard to Sistrunk Boulevard when the train gates are lowered. He pointed out that this could affect traffic attempting to leave the subject property's parking lot. He also expressed concern that Wawa is not a business at which grocery shopping is typically done. He concluded that he is also concerned with the bus shelter on the corner of S Federal Highway and 17th Street, which he characterized as an eyesore that would be inconsistent with the proposed development.

Ron Centamore, President of the Progresso Village Civic Association, advised that the proposed project came before both the Association's board of directors and its general membership more than once, and was approved each time it was presented. The Association was in favor of the redevelopment plan, although he was not aware of why its configuration was that of a U-shaped or L-shaped "strip center."

Mr. Centamore continued that the developer has accommodated the Association's concerns, including that the restaurant not include a drive-through facility and that its south end include a wall to prevent pedestrian traffic onto the site from back streets. The Association also asked that the Applicant provide lamp posts that match those in the surrounding area. He concluded that the neighborhood is in favor of the proposed grocery store and gas station.

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

Ms. Orshefsky addressed the concerns raised during public comment, stating that the Applicant conducted a thorough traffic analysis for the project. Traffic professionals determined that turn lanes on the major roadways would be necessary to move traffic into and out of the site in an appropriate manner. She also noted that the surrounding neighborhood has struggled to attract investment. A management team will oversee the site, and each of the businesses has its own management and on-site security if necessary to address the challenges presented by the neighborhood, including an affirmative approach to the homeless population.

Mr. Heidelberger commented that while he had not been in favor of previous plans for the site, significant changes have been made since that time. He acknowledged that the Site Plan is very complicated and may involve a great deal of movement, particularly in the parking area during peak business hours.

Motion made by Mr. Heidelberger that the plan, as presented, be approved with any changes or additions.

Ms. Parker requested that the **motion** clarify any conditions of approval.

Mr. Tinter requested that the following **amendment** be attached to the **motion**: to channelize the driveways on Andrews Avenue to restrict the movements, right turn in only at the northern driveway and right turn in and out of [the] other driveway, subject to County approval. Mr. Heidelberger accepted the **amendment**.

It was noted that there were no Staff conditions attached to Item 2.

Mr. Cohen **seconded** the **amended motion**. In a roll call vote, the **motion** passed 7-0.

Motion made by Ms. Golub, seconded by Mr. Cohen, to approve [Item 3] subject to Staff conditions. In a roll call vote, the **motion** passed 7-0.

Motion made by Mr. Tinter, seconded by Mr. Cohen, to approve Item 4 with Staff conditions. In a roll call vote, the **motion** passed 7-0.

5. CASE:	**V18001**
REQUEST: **	Vacation of Right-of-Way: Partial Right-of-Way
APPLICANT:	195 Federal, LLC.
PROJECT NAME:	195 N Federal Right-of Way Vacation
GENERAL LOCATION:	East of NE 3rd Avenue, south of NE 2nd Street, west of N Federal Highway and north of NE 1st Street
ABBREVIATED LEGAL DESCRIPTION:	The South 6.00 Feet That 16.00 Foot Additional Thoroughfare Dedication Lying Adjacent To Parcel "B", "Federal Highway And 2nd Street CBD Plat", According To The Plat Thereof, As Recorded In Plat Book 153, Page 49, Of The Public Records Of Broward County, Florida.
ZONING DISTRICT:	Downtown Regional Activity Center – Urban Village (RAC-UV)
LAND USE:	Downtown Regional Activity Center (D-RAC)
COMMISSION DISTRICT:	2 – Steven Glassman
CASE PLANNER:	Nicholas Kalargyros

Disclosures were made at this time.

Robert Lochrie, representing the Applicant, explained that the request is for the vacation of a 6 ft. portion of right-of-way along NE 2nd Street. The property's boundary line is of an odd shape, as two separate plats were done for the property over time. The existing eastern right-of-way provides for a 40 ft. right-of-way, while the western portion of the property has a right-of-way of 66 ft.

Mr. Lochrie reviewed the configuration of the site, noting that rights-of-way within the Downtown area typically vary between 40 ft. and 60 ft. under the current Downtown Master Plan. The request is for vacation of the south 6 ft. of the right-of-way adjacent to the property, which will leave the City with a 60 ft. right-of-way. The Applicant also plans