



**CITY OF FORT LAUDERDALE  
City Commission Agenda Memo  
REGULAR MEETING**

**#19-0663**

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

**FROM:** Chris Lagerbloom, ICMA-CM, City Manager

**DATE:** October 15, 2019

**TITLE:** Quasi-Judicial - Appeal of Planning and Zoning Board Denial of a Parking  
Reduction Application – Gproulx Warehouse – 3125 South Andrews  
Avenue - Florida East Coast Railway, LLC. - Case No. R19008 –  
**(Commission District 4)**

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**Recommendation**

It is recommended that the City Commission conduct a public meeting to determine whether there was a departure from the essential requirements of law in the May 15, 2019 proceedings before the Planning and Zoning Board or whether competent substantial evidence exist to support the Planning and Zoning Board's denial of the parking reduction application filed by Florida East Coast Railway, LLC. under Case No. R19008.

**Background**

The applicant is requesting a parking reduction for an approved warehouse building, located at 3125 South Andrews Avenue. The associated site plan (R17060) for a 90,000 square foot warehouse building was reviewed by the Development Review Committee (DRC) on November 24, 2017 and was approved on April 3, 2018. The applicant has provided the revised site plan package (Exhibit 1). The applicant proposes to eliminate 64 required parking spaces located between the warehouse building and the Florida East Coast (FEC) rail corridor, in order to redesign the approved site plan layout to provide better circulation throughout the site and to facilitate the transport of cargo into the warehouse from the rail area.

On May 15, 2019, the Planning and Zoning Board (PZB) held a public hearing and considered the parking reduction application. The PZB staff report is attached as Exhibit 2. A motion was made to approve the parking reduction application, but the motion failed in a vote of 3-5 and was recorded as a denial. The PZB minutes are attached as Exhibit 3.

On June 13, 2019 the applicant filed an appeal of the PZB decision in accordance with Section 47-24.4.H. of the Unified Land Development Regulations (ULDR). The Applicant's request for appeal is attached as Exhibit 4. The Applicant has provided supplemental material attached as Exhibit 5.

Pursuant to Section 47-26B.1.A.1 of the ULDR, Appeal of a Planning and Zoning Board decision, the City Commission shall review the record compiled by the Department, Development Review Committee and Planning and Zoning Board and hold a public meeting to determine if:

- a. There was a departure from the essential requirements of law in the proceedings appealed; or,
- b. Competent substantial evidence does not exist to support the decision.

If the City Commission determines that there was not a departure from the essential requirements of law or that competent substantial evidence exists to support the decision, then the Planning and Zoning Board decision will be upheld. If the City Commission finds that there was departure from the essential requirements of law or that competent substantial evidence did not exist to support the decision, then the City Commission shall adopt a resolution to set de novo hearing no later than 60 days from the date of adoption of the resolution.

### **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 Business Development Cylinder of Excellence, specifically advancing:

- Goal 7: Be a well-positioned City within the global economic and tourism markets of the South Florida region, leveraging our airports, port and rail connections.
  - Objective 2: Facilitate a responsive and proactive business climate.
    - Strategic Initiative: Implement a Small Business Development Program to enhance long-term viability of our local economy.

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

### **Attachments**

Exhibit 1 - Site Plan

Exhibit 2 - Planning and Zoning Board Staff Report from May 15, 2019

Exhibit 3 - Planning and Zoning Board Meeting Minutes from May 15, 2019

Exhibit 4 - Applicant's Request to Appeal

Exhibit 5 - Supplemental Material

Exhibit 6 - Resolution Upholding Planning and Zoning Board Decision

Exhibit 7 - Resolution to Set a De Novo Hearing

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