



**MEETING MINUTES  
CITY OF FORT LAUDERDALE  
PLANNING AND ZONING BOARD  
CITY HALL - CITY COMMISSION CHAMBERS  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA  
WEDNESDAY, DECEMBER 18, 2019 - 6:00 P.M.**

**Cumulative**

<b>Board Members</b>	<b>Attendance</b>	<b>June 2019-May 2020</b>	
		<b>Present</b>	<b>Absent</b>
Catherine Maus, Chair	P	6	1
Mary Fertig, Vice Chair (arr. 6:12)	P	6	1
John Barranco	P	6	1
Brad Cohen	P	6	1
Coleman Prewitt	P	7	0
Jacquelyn Scott	P	7	0
Jay Shechtman	P	7	0
Alan Tinter	P	7	0
Michael Weymouth	P	6	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  
Linda Mia Franco, Urban Design and Planning  
Yvonne Redding, Urban Design and Planning  
Brigitte Chiappetta, Recording Secretary, Prototype , Inc.

**Communications to City Commission**

**Motion** made by Vice Chair Fertig, seconded by Mr. Prewitt, to communicate to the City Commission a request for a Staff presentation to the Planning and Zoning Board regarding Central City CRA efforts. In a voice vote, the **motion** passed unanimously.

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

Chair Maus called the meeting to order at 6:00 p.m. and the Pledge of Allegiance was recited.

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

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

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

Members of the public wishing to speak on any Item on tonight's Agenda were sworn in at this time.

### IV. AGENDA ITEMS

#### Index

<u>Case Number</u>	<u>Applicant</u>
1. R18025**	KT Seabreeze Atlantic, LP
2. PL19003**	401 Fourth, LLC
3. R19069**	Bexa, LLC
4. ZR19003* **	Town Development Co.

#### **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.

Chair Maus noted a request for the deferral of Item 1, Case R18025, to the June 2020 Planning and Zoning Board meeting.

**Motion** made by Mr. Tinter, seconded by Ms. Scott, to defer Item 1 to the June date. In a voice vote, the **motion** passed unanimously.

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<b>2. CASE:</b>	<b>PL19003</b>
<b>REQUEST: **</b>	Plat Review
<b>APPLICANT:</b>	401 Fourth, LLC.
<b>PROJECT NAME:</b>	Pete's Plat 401
<b>GENERAL LOCATION:</b>	401 NE 4 <sup>th</sup> Street
<b>ABBREVIATED LEGAL DESCRIPTION:</b>	<del>Resub Block 31, North Lauderdale 5-25 B, Lots 20 through 24, less S 5 of said lots and less W 5 of N 102 of S 107 of Lot 20 &amp; less E 5 of N 102 of S 107 of Lots 24 and less N 18 of Lots 20 through 24, Block 31</del>

~~least 28 to 38 ft. on the neighboring property. Mr. Tinter pointed out that Code would require a setback of 27 ft. on the subject property due to the building's height. Mr. Lochrie replied that the building's proposed layout accommodates a garage and moves cars off the street.~~

~~Mr. Shechtman asked if the intent is for the public to have access to view the waterway at the end of the cul-de-sac. Mr. Lochrie confirmed this, noting that this access already exists. The Applicant hopes to obtain a license to improve and maintain this area for the City. He added that the sidewalk does not connect to the cul-de-sac because there is no landing pad. The Applicant hopes to include as much landscaping as possible on its side of the street, which is why no sidewalk connection is proposed.~~

~~Mr. Shechtman observed that he would like to see a sidewalk connection to the cul-de-sac. Mr. Lochrie suggested that the Applicant could provide "some sort of treatment" within the cul-de-sac.~~

~~**Motion** made by Mr. Cohen, seconded by Mr. Weymouth, to incorporate the Staff Report into the record. In a voice vote, the **motion** passed unanimously.~~

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

~~**Motion** made by Mr. Cohen, seconded by Ms. Scott, to approve based on the Staff Report and that it meets requirement, with the conditions in the Staff Report.~~

~~Mr. Shechtman commented that he felt there was sufficient space to add a sidewalk in lieu of some of the proposed landscaping, and that he could not support the Application without a requirement that a portion of sidewalk be added.~~

~~Assistant City Attorney Shari Wallen read the Resolution into the record:~~

~~A Resolution of the Planning and Zoning Board of the City of Fort Lauderdale, Florida, approving a Site Plan Level III development permit for the development located at 532 Hendricks Isle, Fort Lauderdale, Florida, in the RMM-25 zoning district, for the development of multi-family residential units; approving waterway use in accordance with Section 47-23.8 of the Unified Land Development Regulations; and approving modifications for the front, rear, east, and west side yard setbacks.~~

~~In a roll call vote, the **motion** passed 7-2 (Chair Maus and Mr. Shechtman dissenting).~~

**4. CASE:**

**ZR19003**

**REQUEST: \* \*\***

Site Plan Level IV Review: Rezoning from Residential Single Family and Duplex/Medium Density (RD-15)

	District to Parking Lot (X-P) District with Site Plan Approval and Allocation of 0.47 Acres of Commercial Flex for 14,650 Square Feet of Retail Use
<b>APPLICANT:</b>	Town Development, Co.
<b>PROJECT NAME:</b>	Sherwin Williams on NE 4 <sup>th</sup> Avenue
<b>GENERAL LOCATION:</b>	1051 NE 4 <sup>th</sup> Avenue
<b>ABBREVIATED LEGAL DESCRIPTION:</b>	PROGRESSO 2-18 D LOTS 3 THRU 20, LESS E 10 FOR ST, 28 THRU 35 BLK 183
<b>ZONING DISTRICT:</b>	Community Business (CB) and Residential Single Family and Duplex/Medium Density (RD-15)
<b>PROPOSED ZONING:</b>	Community Business (CB) and Parking Lot (X-P)
<b>LAND USE:</b>	Commercial and Medium Density Residential
<b>COMMISSION DISTRICT:</b>	2 - Steven Glassman
<b>CASE PLANNER:</b>	Linda Mia Franco

Disclosures were made at this time.

Stephanie Toothaker, representing the Applicant, stated that the request is for Site Plan Level IV approval with rezoning. The development would share access with a Cumberland Farms property previously approved on Sunrise Boulevard. It is proposed to be a Sherwin Williams store if approved.

The property is 1.54 acres in size and is currently empty. A portion of the land use is Commercial and another portion is Residential Medium Density. The Applicant requests rezoning and an allocation of commercial flex units on the Residential portion, which is 0.58 acre. Other zoning designations on the property include Community Business and Residential-Single Family (RD-15). The Central City Community Redevelopment Agency (CRA) has undertaken rezoning of the entire subject area, which means the site would eventually be rezoned to commercial use.

The Site Plan includes the proposed Sherwin Williams building as well as a building for other compatible retail. The site shares an existing access point with the adjacent Cumberland Farms property. There is also driveway access on 4<sup>th</sup> Avenue and on 11<sup>th</sup> Street.

The property has a 7 ft. sidewalk and 7 ft. bike lane. The Site Plan exceeds the parking requirement of 57 spaces by providing 60 spaces and also meets or exceeds all required setbacks. The building is one story in height. The Florida Department of Transportation (FDOT) had originally asked that a turn lane onto the property be provided, but has since

determined that no turn lane is required. Both the original and revised letters from FDOT are included in the backup materials. The Applicant's traffic statement reflects 15 a.m. peak hour trips and 54 p.m. peak hour trips, which are significantly below the threshold that would trigger a full traffic study.

Chair Maus asked if there is more residential development on the west side of the residential portion of the parcel. Ms. Toothaker replied that there are some single-family homes on this side which are being rezoned to Commercial by the City. Ms. Parker further clarified that the Central City CRA has undertaken this rezoning effort.

Linda Mia Franco, representing Urban Design and Planning, explained that the Central City CRA hopes to allow mixed use and redevelopment in the subject area. Areas zoned MXD would include a mixture of residential and commercial uses. Along Sunrise Boulevard, commercially zoned properties would have additional regulations such as streetscape, massing, and height, as well as other incentives. Expansion of the Central City boundary would provide for redevelopment with deeper lots on Sunrise Boulevard.

The CRA is still undertaking public outreach to neighbors and has not yet brought their rezoning request to the Planning and Zoning Board or the City Commission. Ms. Franco estimated that this request could be brought forward within the next six months. The RD-15 area will remain Residential.

Vice Chair Fertig asked what is located directly across from the proposed Sherwin Williams store. Ms. Toothaker replied that a Home Depot is across from the site, and a Midas store and three single-family homes are located across from the subject site's parking lot.

Ms. Toothaker stated that after the Cumberland Farms property was rezoned, the Applicant reached out to all homeowners' associations in the area, sent letters to all affected property owners within 300 ft., and held meetings on- and off-site. She concluded that the Applicant held a total of five public meetings with the neighborhood, including meetings with homeowners' associations. She concluded that the request is consistent with zoning and land use in the area.

Ms. Scott requested clarification of a designation of "TE" on the Applicant's map. Ms. Franco explained that this represents a transitional edge, which may include mid-rise residential properties such as town or cluster homes, between Commercial and single-family residential zoning.

Mr. Tinter asked if tenants as well as property owners in the subject area were contacted. Ms. Toothaker replied that letters were sent to the addresses on record with the Broward County Property Appraiser's Office. She further clarified that these are the addresses on file for "owners in the area."

Mr. Tinter continued that the bike lane to be built on 4<sup>th</sup> Avenue is consistent with the most recent letter to the Applicant from FDOT. He asked if there is sufficient room remaining for sidewalks and property setbacks. Ms. Toothaker confirmed this, noting that the bike lane will be compatible with a lane constructed in conjunction with the Cumberland Farms property.

Mr. Tinter also noted that while the letter from FDOT requires a minimum driveway throat width of 50 ft., the Cumberland Farms driveway does not appear to be 50 ft. back. Damon Ricks, also representing the Applicant, replied that the Cumberland Farms driveway was approved by FDOT as part of the Cumberland Farms project.

Chair Maus asked if there were renderings of the landscaping on the west side of the parking lot, which would serve to screen residences. Mr. Ricks advised that the Applicant worked closely with the City's landscaping reviewer and made the buffer roughly 5 ft. wider "than it needed to be." They also added trees to improve the buffer. He characterized the landscaping as a screen, which would dampen any light from oncoming headlights.

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

Xavier Concha, Jr., private citizen, stated that he was concerned with how the RD-15 residential district, which includes mostly single-unit apartments, would be affected by the proposed rezoning. He expressed concern for how additional development would affect traffic, adding that rezoning the RD-15 district for mixed use could bring in taller buildings. He also asked if the proposed parking area across from Sherwin Williams would have one-way entry and exit points.

Mr. Concha noted that he has attended some of the Central City CRA meetings regarding the proposed rezoning of the area. He concluded that another main concern was for traffic backup on 11<sup>th</sup> Street and 3<sup>rd</sup> Avenue.

Ms. Toothaker clarified that the entrances and exits on 11<sup>th</sup> Street and Sunrise Boulevard are two-way facilities.

Chair Maus explained that the Central City CRA rezoning would be a separate process from tonight's application. Ms. Parker added that the Central City CRA would need to bring its proposed rezoning before the Planning and Zoning Board and the City Commission for adoption.

Mr. Concha stated that aside from other concerns within the area, he was in favor of the Application.

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

**Motion** made by Mr. Cohen, seconded by Mr. Shechtman, to approve. In a roll call vote, the **motion** passed 8-1 (Chair Maus dissenting).

V. **COMMUNICATION TO THE CITY COMMISSION**

Vice Chair Fertig requested that the Board see a presentation on the Central City CRA rezoning at a subsequent meeting so they could see an overview of what is proposed for the entire area.

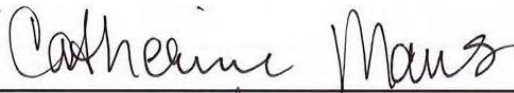
**Motion** made by Vice Chair Fertig, seconded by Mr. Prewitt, to ask the City Commission to allow the Board to hear about the Central City CRA. In a voice vote, the **motion** passed unanimously.

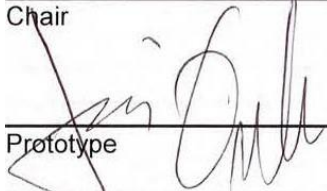
VI. **FOR THE GOOD OF THE CITY OF FORT LAUDERDALE**

Mr. Shechtman addressed the issue of sidewalks, stating that the lack of sidewalks at present is insufficient reason not to implement them in the future. He emphasized that redevelopment offers the City an opportunity to construct sidewalks for better pedestrian safety.

There being no further business to come before the Board at this time, the meeting was adjourned at 7:01 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

  
\_\_\_\_\_  
Prototype

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