



CITY OF FORT LAUDERDALE

**MEETING MINUTES
CITY OF FORT LAUDERDALE
PLANNING AND ZONING BOARD
CITY HALL – CITY COMMISSION CHAMBERS
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, FEBRUARY 19, 2020 – 6:00 P.M.**

Cumulative

Board Members	Attendance	June 2019-May 2020	
		Present	Absent
Catherine Maus, Chair	P	8	1
Mary Fertig, Vice Chair	P	8	1
John Barranco (arr. 6:35)	P	7	2
Brad Cohen	P	8	1
Coleman Prewitt	P	9	0
Jacquelyn Scott	P	9	0
Jay Shechtman	P	9	0
Alan Tinter	P	9	0
Michael Weymouth	P	8	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
D'Wayne Spence, Assistant City Attorney
Anthony Fajardo, Director of Sustainable Development
Jim Hetzel, Principal Planner
Christian Cervantes, Urban Design and Planning
Nicholas Kalargyros, Urban Design and Planning
Yvonne Redding, Urban Design and Planning
Bob Wojcik, CRA Housing and Economic Development Manager
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

~~**Motion** made by Ms. Scott, seconded by Vice Chair Fertig, to communicate to the City Commission a request for a presentation from the Director of Public Works and Staff regarding the status of the City's water and sewer infrastructure, to take place at the earliest possible regularly scheduled Planning and Zoning Board meeting. In a voice vote, the **motion** passed 8-1 (Mr. Weymouth dissenting).~~

~~**Motion** made by Mr. Shechtman, seconded by Mr. Cohen, to request the City Commission consider a comprehensive rezoning of the neighborhood bounding east of~~

CASE: Z19005
REQUEST: * ** Rezoning from Residential Multi-Family/Low Rise/Medium Density (RMs-15) District to Northwest Regional Activity Center - Mixed-Use west (NWRAC-MUw) District
PROPERTY OWNER/APPLICANT STKR Sistrunk, LLC.
AGENT: TDON Development
PROJECT NAME: Townhomes at River Gardens Rezoning
GENERAL LOCATION: 534 NW 22nd Avenue
ABBREVIATED LEGAL DESCRIPTION: River Gardens 19-23 B Lot 25 Block 2
COMMISSION DISTRICT: 3 - Robert L. McKinzie
NEIGHBORHOOD ASSOCIATION River Gardens/Sweeting Estate Homeowners Association
CURRENT ZONING DISTRICT: Residential Multi-Family / Low Rise / Medium Density (RMs-15)
PROPOSED ZONING DISTRICT: Northwest Regional Activity Center - Mixed Use west (NWRAC-MUw)
LAND USE: Northwest Regional Activity Center
CASE PLANNER: Nicholas Kalargyros

Disclosures were made at this time. Mr. Barranco, Mr. Cohen, and Mr. Prewitt recused themselves from hearing or voting upon the Item due to conflicts, and left the dais.

Jonathan Keith, representing the Applicant, showed an aerial view of the subject property, Townhomes at River Gardens. The Applicant owns six of the 10 lots included in the aerial, with the other four lots owned by the Northwest CRA. These two entities plan to develop 25 two-story town home units, six of which will be developed on the east side of NW 21 Terrace and the CSX Railroad. The remaining 19 units will be developed on the west side of the same roadway through NW 22 Avenue.

The subject property lies within the Northwest RAC, with nine of the 10 lots within the NWRAC-MUw zoning district and the remaining lot within the RMS-15 district. The request is to rezone this 10th lot to NWRAC-MUw in order to provide consistency of development standards as well as architectural features and height. Two of the town homes are proposed within this lot.

The project will provide below market rate housing for residents within the CRA. The Northwest CRA is working with the Applicant to subsidize the project's costs, with the provision that housing be offered at below market rate. The project will consist of two-story units with three bedrooms and three and one-half baths and two-car or oversized single-car garages. The project exceeds parking requirements and meets the requirements of the Northwest RAC with regard to architecture, building height, and minimum/maximum square footage.

The development will be “rear-loaded,” which means the fronts of the units face Sistrunk Boulevard and adjoining streets, while parking aisles and driveways face inward. The RMS-15 zoning district allows both multi- and single-family uses, as well as maximum roof heights of up to 36 ft. and minimum side setbacks of 5 ft. The NWRAC-MUw district provides more restrictive zoning requirements: its maximum building height when adjacent to residential property is 25 ft. and minimum side setbacks are 15 ft.

Mr. Keith concluded that the Applicant agreed with the findings of the Staff Report.

Motion made by Mr. Tinter, seconded by Vice Chair Fertig, that the Staff Report for Item 4, Z19005, be made part of the record. In a voice vote, the **motion** passed unanimously.

There being no 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.

Chair Maus requested clarification that the proposed new zoning category for the subject lot accommodates what will be built there. Mr. Keith replied that the RMS-15 category allows single-family and existing multi-family development. The proposed use for this lot, which would include two town home units, would yield only 10 dwelling units per acre. The rezoning request would allow the Applicant to bring a unified Site Plan to the City for the project, as all zoning requirements from the NWRAC-MUw would apply to the subject parcel.

Chair Maus asked if the existing dimensional criteria of the subject lot would prevent the Applicant from building two town homes that are consistent with the rest of the project. Mr. Keith explained that the lot is only 50 ft. in width; because the minimum side setback requirement is 15 ft. in the NWRAC-MUw, the proposed building could not be constructed in that lot. New multi-family development is not allowed within the RMS-15 zoning district. Nicholas Kalargyros of Urban Design and Planning further explained that town homes are not a permitted use within the RMS-15 district.

Chair Maus asked what screening will be provided to shield homes to the west from the impact of the project and its parking. Mr. Keith replied that a comprehensive landscaping plan has been prepared for the project, including required perimeter landscaping, buffering along all property lines, and a fence that will encompass the side yard of the town home unit abutting the single-family home. Rezoning will increase the minimum setback from the town home to the single-family structure from 5 ft. to 15 ft.

Vice Chair Fertig requested more information regarding the Applicant’s public participation process. Mr. Keith advised that two meetings were held in March 2019 and January 2020. Minutes from these meetings were provided in the Staff Report. He estimated that 14 residents from the surrounding area attended the meeting and asked questions regarding the Site Plan.

Mr. Shechtman asked if the residents of the single-family home abutting the proposed project were aware of the proposed rezoning or had attended the public participation meeting. Mr. Keith stated that all residents within 300 ft. of the subject property were mailed notice of the January meeting, and a sign was placed on the subject property to provide notice of tonight's meeting.

Mr. Shechtman explained that his concern was whether or not most residents would understand what rezoning from RMS-15 to NWRAC-MUw would mean. Mr. Keith stated that if there was a concern regarding lighting from the town home units, the Applicant would be willing to embellish the landscaping between the properties to obscure headlight spillover.

Chair Maus asked if there are restrictions regarding height for the subject property. Urban Design and Planning Manager Ella Parker clarified that in the NWRAC, unlike other RAC designations, limits maximum height to 45 ft.

Motion made by Mr. Weymouth, seconded by Vice Chair Fertig, to approve, including comments from the Staff Report. In a roll call vote, the **motion** passed 5-1 (Chair Maus dissenting). (Mr. Barranco, Mr. Cohen, and Mr. Prewitt abstained. A memorandum of voting conflict is attached to these minutes.)

~~V. COMMUNICATION TO THE CITY COMMISSION~~

~~Ms. Scott recalled that at the January 15, 2020 Board meeting, the members had discussed some of the City's infrastructure issues. She asked that the Board send a communication to the City Commission requesting the new Director of Public Works to speak to the Board at a subsequent meeting.~~

~~Vice Chair Fertig recalled that similar requests had been made at previous meetings, to which the City Attorney's Office had responded that these presentations could not be made. Assistant City Attorney D'Wayne Spence confirmed that there has been no change in this position: as the Board is a quasi-judicial entity, the City Attorney's Office feels they should consider each individual application on its own merits. There was a concern that providing additional information could improperly influence the Board when they make decisions on quasi-judicial matters. He clarified, however, that this position does not prevent the Board from making this request of the City Commission.~~

~~**Motion** made by Ms. Scott, seconded by Vice Chair Fertig, to ask the Director of Public Works to speak to the Planning and Zoning Board regarding the status of [the City's] wastewater infrastructure and what's going on, and be able to answer questions [by the Board] regardless of what is on the Agenda.~~

~~It was clarified that the **motion** and **second** would not be limited only to wastewater infrastructure, but would include sewer and water services.~~

~~east of Avenue of the Arts, north of Sistrunk, south of Sunrise Boulevard, and west of the FEC right of way.~~

~~Mr. Barranco advised that he has clients in the South RAC who have expressed interest in purchasing and developing property in that location; however, it is difficult to develop within its zoning district. The surrounding neighborhood is seeking to rezone this area. He did not feel it was appropriate for him to advocate for his neighborhood via a communication to the City Commission.~~

~~Mr. Tinter commented that there have been several individual rezoning requests from the subject area, and recalled that at a previous meeting, a representative of the CRA had suggested that they were reviewing the overall uses of the neighborhood. He proposed inviting a representative of the CRA to make a presentation of this nature rather than sending a communication to the City Commission.~~

~~In a roll call vote, the **motion** passed 5 4 (Mr. Barranco, Ms. Scott, Mr. Tinter, and Mr. Weymouth dissenting).~~

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

~~There being no further business to come before the Board at this time, the meeting was adjourned at 7:35 p.m.~~

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

Catherine Maus

Chair

Brigitte
Chiappetta

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