



CITY OF FORT LAUDERDALE

**MEETING MINUTES
CITY OF FORT LAUDERDALE
PLANNING AND ZONING BOARD
WEDNESDAY, MAY 20, 2020 – 6:00 P.M.**

Cumulative

Board Members	Attendance	June 2019-May 2020	
		Present	Absent
Catherine Maus, Chair	A	8	2
Mary Fertig, Vice Chair	P	9	1
John Barranco	P	8	2
Brad Cohen	P	9	1
Coleman Prewitt	P	10	0
Jacquelyn Scott	P	10	0
Jay Shechtman	P	10	0
Alan Tinter	A	9	1
Michael Weymouth	P	9	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
Trisha Logan, Urban Planner III
Nicholas Kalargyros, Urban Design and Planning
Tyler Laforme, Urban Design and Planning
Yvonne Redding, Urban Design and Planning
Benjamin Restrepo, Urban Design and Planning
Adam Schnell, Urban Design and Planning
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Vice Chair Fertig called the meeting to order at 6:00 p.m. Roll was called and the Pledge of Allegiance was recited. Urban Design and Planning Manager Ella Parker introduced the Staff members present.

II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM

~~In a roll call vote, the motion passed 7-0.~~

~~Motion made by Mr. Shechtman, seconded by Mr. Prewitt, to approve [Item 2] with the Staff conditions and findings. In a roll call vote, the motion passed 7-0.~~

~~Motion made by Mr. Prewitt, seconded by Mr. Weymouth, to [hear] Items 5 and 6 together. In a roll call vote, the motion passed 7-0.~~

5. CASE:	R19034
REQUEST: **	Site Plan Level III Review: Waterway Use for 6 Story Multi-Family Residential Building with 9 Units
PROPERTY OWNER/APPLICANT:	Intech Properties, LLC.
AGENT:	Lochrie and Chakas, P.A.
PROJECT NAME:	Tarpon Lofts
GENERAL LOCATION:	400 SE 9th Court
ABBREVIATED LEGAL DESCRIPTION:	Lauderdale 2-9 D Lot 13 Blk 1
COMMISSION DISTRICT:	4 - Ben Sorensen
NEIGHBORHOOD ASSOCIATION:	Downtown Fort Lauderdale Civic Association
ZONING DISTRICT:	Regional Activity Center - Residential and Professional Office District (RAC-RPO)
LAND USE:	Downtown Regional Activity Center
CASE PLANNER:	Yvonne Redding
6. CASE:	V19007
REQUEST: **	Vacation of Right-of-Way: 50-Foot Wide by 135-Foot Long Right-of-Way
PROPERTY OWNER/APPLICANT:	Intech Properties, LLC
AGENT:	Lochrie and Chakas, P.A.
GENERAL LOCATION:	South of SE 9th Court, north of the Tarpon River, east of SE 3rd Avenue and west of S Federal Highway
ABBREVIATED LEGAL DESCRIPTION:	Lauderdale 2-9 D Lot 13 Blk 1
COMMISSION DISTRICT:	4 - Ben Sorensen
NEIGHBORHOOD ASSOCIATION:	Downtown Fort Lauderdale Civic Association
ZONING DISTRICT:	Regional Activity Center - Residential and Professional Office (RAC-RPO)
LAND USE:	Downtown Regional Activity Center
CASE PLANNER:	Nicholas Kalargyros

~~Disclosures were made at this time.~~

Robert Lochrie, representing the Applicant, showed a PowerPoint presentation on the subject project for Items 5 and 6, for which Site Plan Level III for waterway use and vacation of right-of-way are requested. The project is located within the Downtown Regional Activity Center – Regional and Professional Office District (RAC-RPO) zoning category. He showed renderings of the proposed project, which is a nine-unit six-story building with the proposed vacation of a street that runs parallel to the property.

Mr. Lochrie explained that this property offers the only Downtown portal to the Tarpon River. The Applicant is in agreement with all Staff recommendations as reflected in the Staff Report, and the Application meets the requirements of City Zoning Code. Its maximum height is significantly lower than what is allowed in the RAC-RPO district, and the density of the project is only nine units.

Mr. Lochrie advised that the street proposed for vacation would be improved at one end, including redevelopment of an adjacent property's seawall to meet recently upgraded City seawall standards. At the same time, the Applicant will install a pedestrian area with public seating so people can experience the waterfront. Once the seawall has been constructed, many of the existing mangroves will be replaced on the wet side of the seawall.

Mr. Lochrie continued that the Applicant will dedicate back the vacated portion of SE 4th Avenue, with pedestrian, vehicular, and utility easements. They will install parallel parking in the area and provide lighting and landscaping that are inviting to the public. Utilities will be moved underground. These improvements and the new seawall will be taken into consideration as part of the site's new stormwater system, so runoff water would not go into the Tarpon River. All these improvements require vacation of the right-of-way so the Applicant can take control of and maintain it.

Ms. Scott asked how many boat slips are anticipated at the dock in the same location as the new seawall. Mr. Lochrie replied there are no boat slips proposed at the seawall, although there is the potential for parallel dockage.

Mr. Shechtman asked if a seating area in the vacated right-of-way would be accessible to the public. Mr. Lochrie confirmed this, adding that parking will also be open to the public, although it is also used toward the Applicant's parking count for the residential building. He did not object to consideration of a kayak drop or other waterway access at the subject location, and reiterated that the Applicant agreed to all Staff conditions.

Motion made by Ms. Scott, seconded by Mr. Prewitt, to put the Staff Report in the record. In a roll call vote, the **motion** passed 7-0.

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

Eric Russo, private citizen, addressed both Items, stating that the City seemed to be making a large number of concessions to the project's developer. He also noted that the public regularly accesses the roadway proposed for vacation. He felt there were ways to improve the surrounding area other than removing the mangroves and raising the adjacent seawall.

Mr. Russo continued that there are regular issues with overflow parking from two nearby buildings on 3rd Avenue, which can block access to service and delivery vehicles. He was concerned with how the proposed project might affect these vehicles, as there is little room in the area. He also expressed concern with the location of and service access to a dumpster for the project, and concluded that large oak trees on the site would need to be relocated and/or replaced if it is damaged.

Audrey Edwards, private citizen, stated that she strongly opposed removing any mangroves at the site.

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

Mr. Lochrie addressed the concerns raised during public comment, noting that the Applicant is willing to place signage at the end of the roadway to designate it as public entry. He noted that the project's dumpster is located north of the property along with other dumpsters for multi-family development in the area. He also advised that the seawall improvement is necessary, as there are issues with both king tide events and storm runoff, and reiterated that replacement of the mangroves is part of the Applicant's plan.

Vice Chair Fertig asked if the Applicant is willing to make replacement of the mangroves a condition of approval. Mr. Lochrie confirmed this. He further clarified that the oak trees on the site are approximately 25 ft. in height and 12 in. in diameter.

Mr. Shechtman asked if it would be possible to have a kayak drop at the site. Mr. Lochrie replied that the Applicant is planning to install riprap and replace mangroves, which would leave a portion of the site available for this purpose.

Motion made by Mr. Shechtman, seconded by Mr. Cohen, to approve the waterway access [Item 5] with public access signage, include as part of the proposal a kayak drop for access to the waterway by the public, designate one of the spaces for public parking, and incorporate the planting plans along with other City conditions and findings. In a roll call vote, the **motion** passed 7-0.

Mr. Barranco stated that he felt the same conditions accompanying Mr. Shechtman's **motion** should be included in any **motion** for Item 6 as well.

Motion made by Mr. Barranco that the previous conditions of approval, along with Staff recommendations, are incorporated in a motion to approve [Item 6].

Assistant City Attorney D'Wayne Spence explained that approval of right-of-way vacation requires different criteria to be considered. Any **motion** made with regard to this Item should be tied to the conditions of approval for vacation.

Mr. Barranco restated his **motion** as follows: **motion** [to approve Item 6 with] the planting plans, the relocation of the oak trees, the public access with the kayak launch, the signage, and designating one [parking] space as a public access space. Mr. Shechtman **seconded the motion**.

Mr. Lochrie advised that approval of a kayak drop would be subject to permitting.

In a roll call vote, the **motion** passed 7-0.

7. **CASE:** ~~PLN-PLAT-19110002~~
REQUEST: ** ~~Plat Review~~
PROPERTY ~~220145, LLC~~
OWNER/APPLICANT:
AGENT: ~~KEITH~~
PROJECT NAME: ~~1620 N. Federal Highway Plat~~
GENERAL LOCATION: ~~1620 N. Federal Highway~~
ABBREVIATED LEGAL DESCRIPTION: ~~36 49 42 BEG AT INTER OF E/R/L OF FED HWY & S/L OF NW 1/4 OF NW 1/4 FOR POB, NE ALG SAID R/W 133.36, E ALG S/R/W/L NE 16 CT 408.52, SW 133.36, W 408.52 TO POB~~
COMMISSION DISTRICT: ~~1—Heather Moraitis~~
NEIGHBORHOOD ~~None~~
ASSOCIATION:
ZONING DISTRICT: ~~Boulevard Business (B-1)~~
LAND USE: ~~Commercial~~
CASE PLANNER: ~~Tyler Laforme~~

~~Disclosures were made at this time.~~

~~Mike Vonder Meulen, representing the Applicant, showed a PowerPoint presentation on the Application, which is a request to plat 1.22 acre on Federal Highway for up to 25,000 sq. ft. of commercial use. The plat meets all City and County concurrency requirements. The Applicant has recently submitted a Site Plan for approval as well.~~

~~**Motion** made by Ms. Scott, seconded by Mr. Prewitt, to include the Staff Report in the record. In a roll call vote, the **motion** passed 7-0.~~

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

~~Motion made by Mr. Prewitt, seconded by Ms. Scott, to approve the plat. In a roll call vote, the motion passed 7-0.~~

V. COMMUNICATION TO THE CITY COMMISSION

None.

VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

Ms. Parker advised that Board member Alan Tinter has completed his term on the Board, and recognized him for his service to the City.

There being no further business to come before the Board at this time, the meeting was adjourned at 7:38 p.m.

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



Chair

Prototype

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