



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

Motion made by Ms. Scott, seconded by Mr. Cohen, to approve the minutes as distributed. In a roll call vote, the **motion** passed 7-0.

III. PUBLIC SIGN-IN / SWEARING-IN

Vice Chair Fertig advised that individuals making public comments on their own behalf would be allotted three minutes to speak, while those representing civic or other entities would have five minutes. 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. R19060**	Flagler Warehouse I, LLC
2. PLN-VAC-19100002**	FAT Village Properties, LLC
3. R19035**	3001 N Ocean LLC
4. PL19002**	3001 N Ocean LLC
5. R19034**	Intech Properties, LLC
6. V19007**	Intech Properties, LLC
7. PLN-PLAT-19110002**	220145, LLC

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.

It was noted that the Applicant of Items 3 and 4 had requested both be deferred until the June 17, 2020 meeting.

Motion made by Mr. Weymouth, seconded by Mr. Prewitt, to defer the Items to the June meeting. In a roll call vote, the **motion** passed 7-0.

Motion made by Ms. Scott, seconded by Mr. Prewitt, to take [Items 1 and 2] together. In a roll call vote, the **motion** passed 7-0.

1 CASE:	R19060
. REQUEST: **	Site Plan Level III Review: Conditional Use for Height;

13-Story Mixed-Use Development with 125 Multi-Family Residential Units, 17,088 Square Feet of Restaurant, Bar and Retail and 125,747 Square Feet of Office in Downtown Regional Activity Center
Flagler Warehouse I, LLC.

PROPERTY OWNER/APPLICANT:
AGENT: Lochrie and Chakas, P.A.
PROJECT NAME: FAT Village West
GENERAL LOCATION: 501 NW 1st Avenue
ABBREVIATED LEGAL DESCRIPTION: Replat PT Block 8 North Lauderdale 21-5B Lot 1 Less ST R/W, 2 Thru 10
COMMISSION DISTRICT: 2 - Steven Glassman
NEIGHBORHOOD ASSOCIATION: Flagler Village Civic Association
ZONING DISTRICT: Downtown Regional Activity Center - Urban Village (RAC-UV)
LAND USE: Downtown Regional Activity Center
CASE PLANNER: Jim Hetzel

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2. **CASE:** **PLN-VAC-19100002**
REQUEST: ** Vacation of Right-of-Way: 15-Foot Wide by 663-Foot Long Alley
FAT Village Properties, LLC.
- PROPERTY OWNER/APPLICANT:**
AGENT: Flynn Engineering
GENERAL LOCATION: South of NW 6th Street, north of NW 5th Street, east of NW 1st Avenue and west of N Andrews Avenue
ABBREVIATED LEGAL DESCRIPTION: A Portion of 15 Foot Platted Alley, Block 7, Plat Book 1, Page 183, in public records Dade County
COMMISSION DISTRICT: 2 - Steven Glassman
NEIGHBORHOOD ASSOCIATION: Flagler Village Civic Association
ZONING DISTRICT: Regional Activity Center - Urban Village (RAC-UV)
LAND USE: Downtown Regional Activity Center
CASE PLANNER: Jim Hetzel

Disclosures were made at this time.

Robert Lochrie, representing the Applicant, stated that the project addressed in Items 1 and 2 is located in the Flagler Arts and Technology (FAT) Village, formerly known as Flagler Heights and Flagler Village. The project includes hotel, office, residential, workforce/affordable housing, retail, garage, and restaurant components. The Northwest Community Redevelopment Agency (CRA) has approved the residential portion of the project, for which CRA funding has been approved toward affordable/workforce housing.

Mr. Lochrie reviewed visual renderings of the subject site, identifying the location of the project's various components. It includes an update to 1st Avenue, with improved safety, streetscapes, 7 ft. sidewalks, and landscaping. The roadway will be lined with ground floor retail and restaurant spaces, although the existing warehouse structures will remain the same.

The proposed garage will be shielded behind the project's residential component, and will serve the individual lots and uses arranged around it. It will also provide a central location for loading/unloading, trash pickup, storage, and other needs within the project.

Mr. Lochrie continued that City Staff would like the Applicant to provide a new lift station on the site, as well as a new force main. While there is an improvement planned by the City that could render the new lift station unnecessary, the Applicant is willing to commit to this improvement and agrees to all Staff conditions.

Mr. Shechtman advised that the LauderTrail Working Group's core route includes a portion of 1st Avenue, and asked if the Applicant has discussed a potential connection to this trail with City Staff. Mr. Lochrie agreed that a connection of LauderTrail to 1st Avenue is sensible and the Applicant would be willing to work toward this goal.

Ms. Scott asked for more information regarding potential inclusion of affordable housing. Mr. Lochrie explained that although the Applicant was not successful in receiving funds from the state of Florida in this year's affordable housing funding cycle, they will reapply in 2021. Even if aid-restricted affordable housing cannot be provided, the project will include a workforce housing component, which may serve residents who work in one of the non-residential uses that are part of the project. Mr. Lochrie emphasized that for the purposes of Site Plan approval, the project includes a traditional workforce housing component.

Motion made by Ms. Scott, seconded by Mr. Prewitt, to make the Staff Report part of 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.

Neal Ramsey, private citizen, stated that he was supportive of the proposed affordable housing project in FAT Village, as there is significant need for this housing in the community.

Patrick Guard, private citizen, advised that he lived across the street from the proposed project and looked forward to its development, as he felt it would beautify the area.

Tim Powers, private citizen, commented that while he had sent the Planning and Zoning Board a letter expressing concerns with the project, he was in favor of it. His concerns included vacation of the alleyway, which he described as a valuable piece of City-owned

land of more than 9000 sq. ft. He also pointed out that alleys are traditionally used as a way to move delivery trucks and garbage off the street. While these needs will be met within the garage, he wished to ensure there is ample space to accommodate the needs generated by a project with multiple buildings.

Mr. Powers continued that a previous presentation of the project had referred to approximately 1000 parking spaces; with the multitude of different uses surrounding the garage, he felt this may be insufficient to meet the project's parking needs. He also wished to know where the garage's entrance(s) and exit(s) would be located. He concluded that he would like to see a public safety component, such as crosswalks, added to the project.

Ms. Scott asked if Mr. Powers had taken part in the Applicant's public participation meeting to express his concerns. Mr. Powers replied that he had attended a presentation in fall 2019 at which the project was introduced to the neighborhood, and he had raised many of these concerns at that time.

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 some of the concerns raised by Mr. Powers, stating that there is an existing crosswalk at Andrews Avenue/6th Street; the proposed location for another crosswalk is in a County right-of-way. The garage is accessible from various locations throughout the site, including 5th Street, 1st Avenue, and 6th Street. It is not accessible from Andrews Avenue.

With respect to parking, Mr. Lochrie advised that the project is consistent with the City's regulations regarding transit-oriented development (TOD). He noted that by these standards, the project provides a surplus of 159 spaces. He concluded that the alley to be vacated was intended to serve the properties on either side of it. Because those properties are no longer there, the alley would serve no purpose if retained.

Motion made by Mr. Shechtman, seconded by Ms. Scott, to approve [Item 1], conditioned upon the developer working with the LauderTrail Working Group and whatever their successors are to ensure compatibility of the on-site improvements for cycling and pedestrians with the LauderTrail.

Vice Chair Fertig asked if Mr. Shechtman intended his **motion** to include Staff conditions as well, including the potential lift station. Mr. Shechtman confirmed that his **motion** included all conditions and findings of fact within the Staff Report as well.

Mr. Shechtman further clarified that his intent was for the project's developer to commit to working with the LauderTrail Working Group to ensure the compatibility of proposed improvements for pedestrians and cyclists. Mr. Lochrie advised that the Applicant had no objections to this condition.

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 9 th 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 9 th Court, north of the Tarpon River, east of SE 3 rd 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 ASSOCIATION:	None
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