



CITY OF FORT LAUDERDALE

CITY OF FORT LAUDERDALE
PLANNING AND ZONING BOARD MEETING MINUTES
CITY HALL COMMISSION CHAMBERS

100 N. ANDREWS AVE., FORT LAUDERDALE, FLORIDA 33301

WEDNESDAY, MARCH 17, 2021 – 6:00 P.M.

Board Members	June 2020-May 2021		
	Attendance	Present	Absent
Catherine Maus, Chair	P	9	0
Mary Fertig, Vice Chair	P	9	0
John Barranco	P	9	0
Brad Cohen	P	8	1
Coleman Prewitt	P	9	0
William Rotella	P	9	0
Jacquelyn Scott	P	9	0
Jay Shechtman	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
- D'Wayne Spence, Assistant City Attorney
- Shari Wallen, Assistant City Attorney
- Jim Hetzel, Principal Urban Planner
- Karlanne Grant, Urban Design and Planning
- Yvonne Redding, Urban Design and Planning
- Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Maus 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. Shechtman, to approve the minutes from the January meeting. 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

Case Number

Applicant

- | | |
|------------------------|---|
| 1. PLN-SITE-20060001** | Len & Melody Renne / RLR Services, LLC. and Christian Garay |
| 2. UDP-A20014** | Phoenix Family, LLC. |
| 3. UDP-Z20001** | FTL / AD LTD |
| 4. UDP-T21001* | City of Fort Lauderdale |

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.

1. CASE:

REQUEST: **

PLN-SITE-20060001

Site Plan Level IV Review: Rezone from Residential Multifamily Low Rise/Medium-High Density (RML-25) District to Community Business (CB) District with 0.227 Acres of Commercial Flex Allocation and Conditional Use for a Marine Sales and Service Facility

PROPERTY

OWNER/APPLICANT:

Len & Melody Renne / RLR Services, LLC. and Christian Garay

AGENT:

Marc Isaac, Flynn Engineering Services, P.A.

PROJECT NAME:

Seven Seas

GENERAL LOCATION:

South of Broward Boulevard and North of SW 1st Street

ABBREVIATED LEGAL DESCRIPTION:

River Highlands Amended Plat, PB 15, PG 69 B, Lots 1 thru 4, Block 1 and a portion of Southwest 15th Terrace

COMMISSION DISTRICT:

2 – Steven Glassman

NEIGHBORHOOD ASSOCIATION:

Sailboat Bend Civic Association

EXISTING ZONING DISTRICT:

Residential Multifamily Low Rise/Medium High Density

PROPOSED ZONING DISTRICT:	(RML-25) District Community Business (CB)
LAND USE	Medium-High Residential
CASE PLANNER:	Yvonne Redding

Disclosures were made at this time. Mr. Barranco stated that he would recuse himself from voting on this Item due to a conflict.

Andrew Schein, representing the Applicant, showed a PowerPoint presentation on the Item, recalling that a right-of-way vacation for the same property was approved by the Board at their February 2021 meeting. Tonight's request is for Site Plan Level IV review for conditional use as well as rezoning.

The proposed project is a marina. The rezoning request would rezone a portion of the property from residential use (RML-25) to Community Business (CB). The Site Plan includes a wall that will block the entrance to the neighborhood from Broward Boulevard. Because the project is located in the Sailboat Bend neighborhood, the Application went before the City's Historic Preservation Board (HPB). Although a number of architectural features will be retained, it has been determined that the property will not contribute to Sailboat Bend's historic designation. The project was approved by the HPB.

To the west of the property, an existing building will be demolished and replaced by significant landscape buffering around the property. The Applicant proposes to increase the number of trees on the site from 11 to 63. This will screen commercial uses on Broward Boulevard from the neighborhood to the south.

The original application submitted to the Development Review Committee (DRC) in 2020 included a scrivener's error which has since been corrected, resulting in a slight decrease to the area to be rezoned. The marina use has existed for more than 20 years.

The project has been presented to nearby neighborhood associations: once to Riverside Park, once to Dorsey Riverbend, and once to the Sailboat Bend Civic Association's regular meeting. The Sailboat Bend neighborhood voted unanimously to approve the project. No votes were taken at the other two association meetings, as the project is outside the area of those groups; however, there were no comments opposing the project.

Motion made by Ms. Scott, seconded by Vice Chair Fertig, that the Staff Report be made a part of this 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 the Item, the Chair closed the public hearing and brought the discussion back to the Board.

Motion made by Ms. Scott, seconded by Mr. Weymouth, to approve.

Mr. Shechtman observed that the subject property is very close to the proposed area for LauderTrail, and asked if the Applicant would be willing to discuss working with that facility. Mr. Schein confirmed this could be done.

In a roll call vote, the **motion** passed 8-0. (Mr. Barranco abstained. A memorandum of voting conflict is attached to these minutes.)

2. CASE:	UDP-A20014
REQUEST: **	Site Plan Level III Review; Conditional Use - Additional Height for Roof and Yard Modification Request
PROPERTY OWNER/APPLICANT:	Phoenix Family, LLC.
AGENT:	Shalina Jaffer, Equilibrium Architecture
PROJECT NAME:	Phoenix Family Rooftop Addition
GENERAL LOCATION:	1200 Holiday Drive, Suite 1201
ABBREVIATED LEGAL DESCRIPTION:	Ocean Harbor 26-39 B Lot 17
COMMISSION DISTRICT:	4 - Ben Sorensen
NEIGHBORHOOD ASSOCIATION:	N/A
ZONING DISTRICT:	Residential Multifamily High Rise/High Density (RMH-60) District
LAND USE:	High Density Residential
CASE PLANNER:	Yvonne Redding

Disclosures were made at this time.

Robert Brannon, CEO of Happy House Outdoor Living, stated that the request is for conditional use approval of additional height and yard modifications. Height of up to 120 ft. is permitted in the subject zoning district. The requested height is 135 ft. The Applicant has reached out to nearby buildings and heard no objections.

The project will include a rooftop terrace, as well as a raised floor, addition of turf, outdoor kitchen, louvered roof system, and a pergola no taller than 10 ft. Mr. Brannon showed multiple views of the proposal, which cannot be seen from the north. There will be no major impacts on existing elevations.

Motion made by Vice Chair Fertig, seconded by Mr. Rotella, to include the Staff Report as 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 the Item, the Chair closed the public hearing and brought the discussion back to the Board.

Motion made by Vice Chair Fertig, seconded by Ms. Scott, to approve.

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

A Resolution of the Planning and Zoning Board of Fort Lauderdale, Florida, approving a conditional use permit for a multi-family dwelling with a 135 ft. building height and yard modification for the addition of a rooftop terrace for the property located at 1200 Holiday Drive, Unit 1201, Fort Lauderdale, Florida, in the RMH-60 zoning district, Case No. UDP-A20014.

Vice Chair Fertig and Ms. Scott **amended** their **motion** and **second** as follows: to [also] adopt the findings of fact from the Staff Report.

In a roll call vote, the **motion** passed 8-1 (Mr. Cohen dissenting).

3. CASE:	UDP-Z20001
REQUEST: **	Rezone from Regional Activity Center – West Mixed Use (RAC-WMU) District to Regional Activity Center – City Center (RAC-CC) District
PROPERTY OWNER/APPLICANT:	FTL/AD LTD
AGENT:	Stephanie Toothaker, Esq. P.A.
GENERAL LOCATION:	West of SW 2 nd Avenue, North of SW 2 nd Street, East of SW 4 th Avenue and South of Broward Boulevard
ABBREVIATED LEGAL DESCRIPTION:	Ft Lauderdale B-40 D all Lots 2 Thru 7, 18 Thru 23
COMMISSION DISTRICT:	2 - Steven Glassman
NEIGHBORHOOD ASSOCIATION:	Sailboat Bend Civic Association
EXISTING ZONING DISTRICT:	Regional Activity Center - West Mixed Use (RAC-WMU) District
PROPOSED ZONING DISTRICT:	Regional Activity Center - City Center (RAC-CC) District
LAND USE:	Downtown Regional Activity Center
CASE PLANNER:	Nicholas Kalargyros

Disclosures were made at this time.

Stephanie Toothaker, representing the Applicant, showed a PowerPoint presentation on the Application, which requests rezoning from Regional Activity Center – West Mixed

Use (RAC-WMU) to Regional Activity Center – City Center (RAC-CC). The subject properties have an underlying land use of RAC.

The City Commission recently approved the adoption of the City's Downtown Master Plan. As part of this adoption, the City amended some boundaries of the Downtown's character areas, such as extending the Downtown Core along Broward Boulevard. This area will serve as the City's center. The Application would rezone the site for consistency with the Downtown Master Plan.

The Downtown Core character area is characterized by vertical towers with minimum setbacks. It includes both the RAC-CC and RAC-WMU. The Application complies with the zoning criteria. The City's Regional Land Use map indicates that the properties are designated RAC in order to encourage development and redevelopment of areas of regional significance. RAC is intended to facilitate mixed-use development, encourage mass transit, reduce the need for automobile travel, provide incentives for quality development, and give definition to urban form.

The rezoning is consistent with the land use designation as well as with the goals, objectives, and policies of the City's Comprehensive Plan. Changes will not adversely affect the character of development in or near the area under construction.

The Applicant held a public participation meeting in November 2020, including property owners within 300 ft. of the site as well as civic/neighborhood associations from the Sailboat Bend, Progresso Village, Flagler Village, and Downtown Fort Lauderdale neighborhoods. Six individuals attended this meeting.

Motion made by Vice Chair Fertig, seconded by Ms. Scott, to include the Staff Report as 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 the Item, the Chair closed the public hearing and brought the discussion back to the Board.

Motion made by Vice Chair Fertig, seconded by Mr. Cohen, to approve.

Mr. Weymouth asked if the Applicant had invited other property owners in the RAC-WMU to join in the rezoning in order to change the western portion of the overall area to RAC-CC. Ms. Toothaker replied that the Application does not represent spot zoning, as the subject property is connected to the existing RAC-CC. The Applicant owns another parcel in the area and had communicated with the Museum of Discovery and Science and the 7-11 store regarding rezoning of these parcels; however, 7-11 was not responsive to the offer, which led Staff to determine that the Applicant's parcel alone was not enough to make the connection to RAC-CC.

Mr. Weymouth asked how parking and open space would be addressed for the project. Ms. Toothaker stated that there is no Site Plan at this point, nor are parking calculations currently available.

Mr. Weymouth asked if the Applicant needs the requested rezoning in order to proceed with developing a Site Plan. Ms. Toothaker advised that the RAC-CC is a better zoning for the property than RAC-WMU, as confirmed by the newly adopted Downtown Master Plan. It is possible that in the future, Staff may initiate other rezoning requests in order to make the area's zoning match the character areas shown on the Downtown map.

In a roll call vote, the **motion** passed 8-1 (Mr. Weymouth dissenting).

4. CASE:	UDP-T21001
REQUEST: *	Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-37B.4; List of Permitted and Conditional Uses – Uptown Urban Village North East (UUV-NE); Uptown Urban Village North West (UUV-NW); Uptown Urban Village South East (UUV-SE); Uptown Urban Village South West (UUV-SW); Uptown Urban Village South Central (UUV-SC)
PROPERTY OWNER/APPLICANT:	City of Fort Lauderdale
GENERAL LOCATION:	Uptown Project Area
CASE PLANNER:	Jim Hetzel

Jim Hetzel, Principal Urban Planner, explained that this request is for a Unified Land Development Regulations (ULDR) amendment to permitted and conditional uses for the Uptown zoning districts. Staff had missed a small number of items related to Social Service Residential Facilities (SSRFs).

Motion made by Ms. Scott, seconded by Mr. Barranco, to include the Staff Report as 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 the Item, the Chair closed the public hearing and brought the discussion back to the Board.

Motion made by Ms. Scott, seconded by Vice Chair Fertig, to approve. In a roll call vote, the **motion** passed 9-0.

V. COMMUNICATION TO THE CITY COMMISSION

Ms. Scott requested clarification of how a Chick-Fil-A restaurant was approved on US-1, pointing out that no stacking lanes exist at the site. Vice Chair Fertig also asked what could be done differently in the future to prevent this from recurring, expressing concern

for safety at the site. Mr. Cohen suggested that stacking lanes be a requirement of Site Plan approval.

Urban Design and Planning Manager Ella Parker advised that Staff can take this discussion into consideration when reviewing City Code and criteria. She confirmed that while engineering reviewers look at stacking and traffic conditions, some restaurants may continue to generate a larger number of trips due to their popularity. If the Board wishes to make this a communication to the City Commission, the City Commission may direct the City Manager to direct Staff to conduct additional research.

Mr. Barranco advised that some restaurants' self-imposed criteria typically exceed the City's requirements. He felt any further restrictions would be difficult. Chair Maus pointed out that despite the restaurant's best efforts, there is a problem at the subject site.

Motion made by Ms. Scott, seconded by Vice Chair Fertig, that the Board is requesting a review of traffic circulation on the Chick-Fil-A site, with an eye toward maybe relying on alternative methods of ingress and egress that would alleviate the dangerous problems on Federal Highway.

Mr. Barranco suggested that the City study the issue that exists at the site, as the **motion** would be similar to a request for a retroactive Site Plan modification.

Attorney Wallen stated that a number of City Departments have discussed this issue internally, and the Site Plan for the restaurant has already been approved. She recommended that the Board members take a closer look at existing Code and consider making suggestions for how Staff may amend Code in the future. The restaurant is not violating Code.

[The **motion** died without a vote.]

VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

Karlanne Grant, representing Urban Design and Planning, provided a brief presentation on the Central Beach Code update efforts, which will come before the Board as a proposed amendment at a later date. The purpose of the amendment would be to address a number of issues and concerns that Staff has heard from stakeholders and neighbors over the years. These include:

- Current language results in unpredictable development outcomes
- Point system is arbitrary and does not relate to established planning principles
- Current setback reductions result in inconsistent development patterns
- Inconsistent and limited uses exist throughout different zoning districts
- Interim use is restricted with unnecessary limitations
- There is limited opportunity for adaptive reuse, with few to no incentives or options

- Consensus-driven approach should be applied to the application of standards
- More certainty should be built into the application review process

In 2014, the City Commission added the Central Beach Master Plan as an initiative and approved a contract for a consultant to begin work. Multiple stakeholder meetings and workshops have been held, primarily in 2016 and 2017, to outline goals and collect data. In 2018, a draft of the Central Beach Architectural Research Survey was completed and presented to the newly elected City Commission. Between late 2018 and the present, Staff has proposed amendments and continued their outreach efforts. Since the onset of the COVID-19 pandemic in 2020, they have proposed changes based on stakeholder and public feedback and made presentations in late 2020.

The overall elements Staff plans to present are:

- Providing use tables similar to those in the rest of Code
- Proposed more prescriptive dimensional requirements
- Proposed that the point system be made more prescriptive and less subjective
- Proposed open space requirements
- Proposed standards to address the pedestrian realm
- Proposed changes to DRC procedures

Staff hopes to bring these amendments before the Board in May at a special meeting. The most recent draft of the Central Beach Master Plan is available on the City's web page.

There being no further business to come before the Board at this time, the meeting was adjourned at 7:00 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.]