

3. (23:58) [LN-193](#) **HIDDEN HARBOUR MIXED-USE PD**

Request: Rezoning
P&Z# 21-13000006
Owner: AMP IV-Hidden Harbour, LLC.
Project Location: 1490 N Federal Highway
Folio Number: Multiple Folios
Land Use Designation: MUR-H (Mixed Use Residential-High)
Zoning District: Two-Family Residence (RD-1) & PD-I (Planned Development - Infill)
Commission District: 1 (Andrea McGee)
Agent: Graham Penn (305-374-5300)
Project Planner: James Hickey, Consultant, with Scott Reale (954-786-4667 / scott.reale@copbfl.com)

Applicant’s team and staff was allowed access to the virtual meeting. Ms. Thermidor placed everyone under oath.

Mr. James Hickey (1800 Eller Drive, Fort Lauderdale), consulting planner for the city, introduced himself to the Board. He provided the Board with a presentation. He showed the property aerial and reviewed the property context. He explained the project was in front of the Board in 2020 for rezoning. The change tonight is to bring a small north parcel into the approved PD-I. The parcel has an address of 2351 NE 16 ST and is currently zoned RD-1. The request is to add a 3-story garage with roof parking and expand the existing Hidden Harbour PD-I zoning district. In addition, the applicant proposed to reduce the project to 8-stories, not to exceed 300 units along Federal Highway. The net acreage is 7.19 acres. He showed a colored site plan with the proposed changes. He stated staff had a meeting with the applicant in November for suggested changes. He stated the original design had the garage located further to the east. Staff asked that the garage be moved as far west as possible to minimize any residential impacts. The applicant has addressed that. Mr. Hickey stated that given the information provided to the Board, as the finder of fact, staff provides the following recommendation and alternative motions, with may be revised or modified at the Board’s discretion.

Alternative Motion I: Recommend approval of the amendment of the PD-I rezoning request as the Board finds that the rezoning application is consistent with the aforementioned pertinent Future Land Use goals, objectives, and policies, and the purpose of the Planned Development - Infill (PD-I) district.

Alternative Motion II: Table this application for additional information as requested by the Board

Alternative Motion III: Recommend denial as the Board finds the request is not consistent with the goals, objectives, and policies of the Comprehensive Plan.

Staff recommends Alternative Motion I.

Mr. Stacer asked if the Board had any questions of staff.

Ms. Kovac asked if the rooftop parking would be roofed or screened, or if it would be visible. Mr. Hickey stated the backup included a rendering showing the view. It will be open but will include walls to screen from the residential area. It will not be covered.

Mr. Scott Reale, Senior Planner, stated that this is strictly the rezoning request and that the parking lot will be in greater detail when it is brought to the Board for site plan approval.

Mr. Stacer asked what the setback on the east side was? The plans shown do not match the Board backup. Mr. Graham Penn responded that at staff's request, they flipped those setbacks. The east setback is 14 feet-8 inches and the western setback is at 10 feet.

Mr. Graham Penn (200 South Biscayne Blvd., Miami) introduced himself to the Board and provided a presentation. He reviewed the previous approvals that included a Land Use Plan Amendment. He showed a rendering of the project and stated there will be public access to the waterway. He reviewed the changes being requested. The changes reduce the intensity and density of the project, as well as improve the project's operation. He showed the approved PD masterplan. The plan included 9 stories on Federal Highway. He reviewed the approval steps the PD has taken. This proposed change imposes the 8-story limit that was presented for the site plan in September. They cannot exceed an 8-story height with this approval. He reviewed the context of the property and showed the proposed PD change. Approval in essence caps height and density. He reviewed the setbacks of the garage and reviewed the benefits of the proposed changes. He reviewed the neighborhood outreach that the project has provided. He stated the landscaping has also been improved significantly and provided colored elevations. He showed the views and service vehicle access. The service area has been removed from NE 16th Street. He reviewed the traffic. He stated that the proposed change removes 1,080 vehicle trips from NE 16th Street and NE 23rd Avenue. This was accomplished by removing the mandatory valet parking. He summarized that the request reduces the density from 323 units to 300, reduces the height from 9 to 8 stories, removes service activity on NE 16th Street, and removes all mandatory valet from NE 16th Street.

Mr. Stacer complimented the relocation of the garage further west. He asked if the property to the west is zoned B-3. Mr. Penn confirmed. Mr. Stacer stated he would list several site items he would like to see at the site plan level. He suggested moving the garage further west another 4 feet. Mr. Reale stated they would need to look at that in terms of site security so that no alleyways are created. Mr. Hickey added if there will be large shade trees on that side, you will need adequate space. Mr. Stacer stated that he would like to see 18-foot trees on the street

Mr. Stacer asked if the garage is 4 levels. Ms. Beatriz Hernandez (8950 SW 74th CT, Suite 1513, Miami) responded the garage is 3 levels with uncovered parking on the 4th. She stated the garage is screened and they will show further detail with the site plan. Mr. Stacer asked for the timeframe of the site plan. Mr. Penn stated they are under their 2nd DRC review currently, so it is moving along quickly. Mr. Stacer stated the building corners should be framed with tall palms.

Mr. Stacer stated the north elevation is long. He stated the buildings to the north will be overshadowed with a long elevation. He stated the design is good, but landscaping should be used here to help soften the view. Mr. Penn acknowledged the input.

Mr. Stacer asked if the September hearing was for the site plan. Mr. Penn responded yes. Mr. Stacer asked what the unit count was at the time. Mr. Penn stated the site plan will request 285, but the PDI will be capped at 300.

Mr. Stacer asked if anyone from the audience would like to speak. Ms. Lawson allowed Jon Klarsfeld (1470 N Federal Highway, Pompano Beach) access to the virtual meeting. Ms. Thermidor placed him under oath.

Mr. Klarsfeld introduced himself to the Board. He stated that he owns property south of the proposed development. He stated in the applicant has omitted the building he represents. The biggest concern is traffic as it may not be calculated accurately. He showed a site plan sketch with circulation patterns. He is concerned that traffic would cut across the 1470 property and into the large parking garage. He is asking for the applicant to build the project in a way that does not negatively impact the neighbors. He is also concerned with the size and foundation of the large garage to the south. He is concerned with the noise and soil movement involved with the installation of pilings, and its effect on his property. He is requesting that the project be denied until these issues are addressed and show there will be no negative impact and that the project is in harmony. He asked that one of the renderings be shown and stated that the property he represents is not illustrated on the rendering.

Mr. Stacer asked to clarify where the property in question is. Mr. Penn responded that the property is south of the 8-story parking garage. There is a 0-lot line building here and a lot below that. He added that this property has access from Federal Highway, as well as 23rd. The traffic that currently cuts through is doing so illegally. This is not up to a private citizen to enforce. Mr. Penn added that the revision being presented removes the need to cut through this area as they are adding parking on the north. There is also a significant amount of landscaping proposed on the south side of the parking garage that should deter cut-through access. Mr. Penn also stated that from a constructability standpoint, they are confident there will not be an adverse impact to Mr. Klarsfeld's property.

Mr. Klarsfeld disagreed with Mr. Penn's explanation regarding the cut through access. Mr. Penn stated this is an enforcement issue and not related to the project proposed.

Mr. Stacer asked if there were 2 entrances into the garage from 23rd and if they both exit as well. Ms. Beatriz responded yes.

Mr. Stacer asked if the Board had any questions of the applicant.

Ms. King asked if there was a CPTED review done for the project. Mr. Penn responded yes and they have a CPTED consultant for the project. Ms. King asked if there is anything else the applicant can do to address Mr. Klarsfeld's concerns and if they can be revisited. Mr. Penn responded that they will re-review the CPTED plan and the traffic concerns with the respective consultants.

(1:30:29)

MOTION by Tobi Aycock and seconded by Richard Klosiewicz that the Board find that competent, substantial evidence has been presented for the Rezoning amendment that satisfies the review standards, and that approval is granted. All voted in favor.

(1:32:26)