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**H. REZONING**

**3. KARAM FAMILY, LLC / 117 S. RIVERSIDE DR.  
Planning and Zoning No. 18-13000003  
Commission District: 1**

Consideration of the REZONING submitted by **ANDREW J. SCHEIN** on behalf of the **KARAM FAMILY, LLC** is requesting to rezone the subject property from RS-2 (Single-Family Residence 2) to RM-45 (Multiple-Family Residence 45) in order to develop 7 townhomes on the subject parcel combined with the parcel to the north.

AKA: 117 S. Riverside Drive  
ZONED: RS-2 (Single-Family Residence 2)  
PROPOSED: RM-45 (Multiple-Family Residence 45)  
STAFF: Max Wemyss (954) 786-4671

Mr. Max Wemyss, Planner, presented himself to the Board and stated that this proposed rezoning is in order to develop 7 townhomes on the site. He noted that this property is right at the edge of the Atlantic Overlay District and that it is the only property in the overlay district with single-family zoning. He stated that the future land use designation allows for high-density residential and so the proposed rezoning would be consistent with this. He stated that the proposed site plan for the site has been submitted to the City for review.

He stated that he received two phone calls today, one from Mr. Timothy Golly who expressed concern about the height and density of this proposed zoning district but withheld either support or opposition to the application and another from Mr. Christopher Derosé who offered his support.

Given the information provided to the Board, as the finder of fact, the Development Services Department provides the following recommendation, and alternative motions, which may be revised or modified at the Board's discretion.

**Alternative Motion I**

Recommend approval of the rezoning request as the Board finds the rezoning application is consistent with the aforementioned pertinent Future Land Use goals and policies.

**Alternative Motion II**

Table this application for additional information as requested by the Board.

**Alternative Motion III**

Recommend denial as the Board finds that the request is not consistent with the Future Land Use Goals and Policies listed in Section 'A' of this report.

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Staff recommends alternative motion number I.

Mr. Andrew Schein (1401 E. Broward Boulevard, Fort Lauderdale) presented himself on behalf of the property owner and noted that the site plan is still in the works and that the final density might be reduced because of site circulation and emergency access demands. He provided a context of surrounding existing land uses and explained how their rezoning request is consistent with the applicable review criteria. He stated that the current zoning is not consistent with future land use plan and that the request meets the Goals, Policies and Objectives of the Comprehensive plan. He stated that their proposed three-story townhomes are consistent with the heights of surrounding properties and provides a suitable transition.

Ms. Coleman stated that she while she likes how the 7 unit project would serve as a transition, she asked why the applicant is not pursuing a higher density that would be permitted through the rezoning.

Mr. Schein responded that the site planning is entirely bound by design constraints, such as required setbacks, landscape buffers, and design criteria. He stated that while the density might seem to permit a higher density, these factors limit the number of units that can actually be developed.

Mr. Stacer asked about the restrictions placed on balconies.

Mr. Schein responded that there are creative ways to design projects but that the requirements do impose restrictions.

Mr. Stacer asked if anyone from the audience wished to speak.

Mr. Tom Drum (2700 NE 8th Street) presented himself to complain that this rezoning should not be approved because it would trample existing residents' rights. He stated that he speaks for a lot of people and that he cannot understand why they are not also present.

Ms. Mary Hannon (612 S. Riverside Drive) stated that while she likes the design of the project she doesn't understand why the applicant isn't asking for a less dense zoning district if that is all they need. She expressed concern that this will cause a ripple effect

Mr. Tim Golly (2650 SE 6th Court) stated that he agrees with the previous speakers and while he likes the townhouse project a lower density should be permitted.

Mr. Schein responded that site constraints wouldn't allow for the development of the 10 total units that the site currently permits, and that a site plan in excess of 10 units would need Board approval anyways. In response to the comments about a domino effect, he pointed out that other single-family zoned parcels in the area would require a future land use plan amendment to be rezoned, so fears that this would be just the first rezoning of many in the area really aren't that realistic.

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Ms. Kovac asked staff to clarify the applicant having to come back if there are proposing more than 9 units.

Mr. Wemyss confirmed that a site plan of 10 townhomes or more would require Major Site Plan approval.

Ms. Kovac asked if the proposed site plan would be tied to this rezoning.

Mr. Stacer responded that it would not since this is not a Planned Unit rezoning.

Mr. Stacer asked what would constrain the applicant to pursue a townhome development as opposed to other permitted RM-45 uses, such as a 10-story condo building.

Mr. Schein responded that the site is constrained by permitted density, setback requirements, landscape buffers, and building circulation requirements. He reiterated that if more units were requested it would need this Board's approval.

Ms. Coleman pointed out that the Board would have little discretion if such a major site plan satisfied all of the requirements of the RM-45 zoning. She stated that she thinks RM-45 is too intense for the southern portion of the site and that a lesser density would be more appropriate. She stated that they wouldn't be tied to any site plan at this point in time.

Mr. Schein reminded the Board that they started the project with 8 units but have gone down to 7 due to them not being able to meet the development requirements, namely the landscape buffer requirements.

Mr. Stacer asked if a different buffer would be required for a taller building.

Mr. Wemyss responded that it would not. He added that setbacks for upper portions of a building would change, however, and would prohibit the building from reaching the maximum of 105'.

Ms. Smith asked the applicant why they are not asking for an RM-20 zoning rather than an RM-45 district if that zoning would allow them to build the same project.

Mr. Schein responded that it would not allow for the same project because only the permitted density could be built on the portions of a parcel with zoning that allow for it. This would cause even more design challenges. He pointed out that they spoke to the neighbors to the south, north, and east and none of them had objections.

Mr. Stacer asked what the total height would be.

Mr. Schein responded that the total would be around 40' in three-stories.

Ms. Coleman asked if a high-rise residential building could be built on the subject property.

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Mr. Wemyss responded that it would be difficult to envision, because all of the site requirements, including parking, would have to be accommodated on-site and because of the required buffers. He stated that RM-45 zoning, not RM-20, is preferable because it would be consistent with the underlying future land use plan.

Mr. Stacer commented that there is some angst about the proposed height at levels even above the Planning and Zoning Board, but that it seems that this Board would not be opposed to a 7-unit townhome project as currently proposed. He pointed out that a rezoning cannot be approved with conditions, and he strongly recommended that the applicant consider these concerns about potential high-rise buildings before going to the City Commission.

**MOTION** was made by Carla Coleman and seconded by Richard Klosewicz to recommend approval of the Rezoning PZ #18-13000003 as described in the staff report. All voted in favor of the motion

**4. NATJACK, LLC & LIVING TRUST OF MERRILL E. PRIDEMORE / Powerline/MLK Commerce Center  
Planning and Zoning No. 19-13000007  
Commission District: 5**

Consideration of the REZONING submitted by **BRYAN HUSSEY** on behalf of the **NATJACK, LLC** is requesting to rezone the subject property from B-3 (General Business) to B-4 (Heavy Business). The site includes three parcels, which are currently vacant.

AKA: 2150 S. Hammondville Road  
ZONED: B-3 (General Business)  
PROPOSED: B-4 (Heavy Business)  
STAFF: Max Wemyss (954) 786-4671

Mr. Wemyss explained that the subject property contains three parcels and that there is a site plan to go along with this rezoning request which is also on the Board's agenda. The applicant has requested that they present both the rezoning and site plan together and the Board can vote on both items separately. The proposed B-4 rezoning would allow for the proposed warehouse/distribution use.

Given the information provided to the Board, as the finder of fact, the Development Services Department provides the following recommendation, and alternative motions, which may be revised or modified at the Board's discretion.

**Alternative Motion I**

Recommend approval of the rezoning request as the Board finds the rezoning application is consistent with the aforementioned pertinent Future Land Use goals and policies.