

ORDINANCE NO. C-23-39

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-1.6.B OF THE CITY OF FORT LAUDERDALE, FLORIDA UNIFIED LAND DEVELOPMENT REGULATIONS THROUGH THE REVISION OF THE OFFICIAL ZONING MAP OF CITY OF FORT LAUDERDALE AND SCHEDULE "A" REVISED COMPILATION ATTACHED THERETO AND BY REFERENCE MADE A PART THEREOF, SO AS TO REZONE FROM "B-3 – HEAVY COMMERCIAL LIGHT INDUSTRIAL BUSINESS" DISTRICT TO "UUV-NE – UPTOWN URBAN VILLAGE NORTHEAST" DISTRICT, A PORTION OF PARCEL "A", "REFLECTIONS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 119, PAGE 46, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED NORTHWESTERLY OF I-95, EAST OF NORTH ANDREWS AVENUE, NORTH OF EAST CYPRESS CREEK ROAD (NORTHEAST 62ND STREET) AND SOUTH OF CYPRESS CREEK CANAL (C-14), ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property owner, RD Investment Properties, LLC, requested that the City of Fort Lauderdale initiate an application for the rezoning of the property specifically described in Exhibit "A" attached hereto and incorporated herein from "B-3 *Heavy Commercial/Light Industrial Business District*" to "Uptown Urban Village Northeast District"; and

WHEREAS, at its meeting on July 19, 2023, the Planning and Zoning Board, (Case No. UDP-Z23001), as the local planning agency, approve the rezoning of the property described in Exhibit "A" attached hereto and also recommended an amendment to the Official Zoning Map of the City of Fort Lauderdale and Schedule "A" referenced in Section 47-1.6.B. of the Unified Land Development Regulations to include the rezoned property; and

WHEREAS, the City Clerk the City Clerk provided notice to the public of public hearings scheduled on Tuesday, September 19, 2023, at 6:00 P.M., or as soon thereafter as possible, at The Parker, 707 N.E. 8th Street, Fort Lauderdale, Florida, and Tuesday, October 3, 2023, at 6:00 P.M., or as soon thereafter as possible, at Mary N Porter Riverview Ballroom at the Broward Center for the Performing Arts, 201 SW 5th Avenue, Fort Lauderdale, Florida, for the purpose of hearing any public comment on the rezoning; and

WHEREAS, such public hearings were duly held at the time and place designated after notice was given as required by law, and the City Commission determined that the requested rezoning met the criteria for amending the zoning regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

SECTION 2. The City Commission finds that the application for rezoning meets the criteria in Section 47-24.4. of the Unified Land Development Regulations ("ULDR") as enunciated and memorialized in the minutes of its meetings of September 19, 2023 and October 3, 2023, a portion of those findings are expressly listed as follows:

1. The zoning district proposed is consistent with the City's Comprehensive Plan. The property is currently zoned B-3 and has an underlying land use designation of Employment Center which is intended to allow for uses such as retail and restaurant, office, service and business, automobile sales with repair and other commercial and employment-based uses. The proposed UUV-NE zoning district is consistent with this land use designation.
2. The changes anticipated by the proposed rezoning will not adversely impact the character of development in or near the area under consideration. The development in the surrounding area is characterized mainly by office, hotel, and commercial uses. Rather than adversely impacting the character of development in the area with more intense uses such as industrial manufacturing and automotive repair shops, the proposed rezoning to UUV-NE will have a positive impact by allowing for mixed-use development that will add a residential component to the area to support the other uses, and will further the live, work, play environment that the City envisions for the area.
3. The character of the area proposed is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses. The UUV-NE zoning district permitted uses are compatible with the surrounding zoning district uses in that office, hotel, and commercial are permitted in both the existing and proposed zoning, with the residential use permitted in the proposed zoning district as a mixed-use development. The City explicitly

adopted the Uptown Master Plan to promote residential and mixed-use development in the area.

SECTION 3. That the City of Fort Lauderdale, Florida ULDR, together with the Official Zoning Map of the City of Fort Lauderdale and revised Schedule "A", describing the lands lying within each zoning district, as approved on June 18, 1997, and described in Section 47-1.6 of the ULDR, are hereby amended by rezoning from by rezoning from "B-3 – Heavy Commercial/Light Industrial Business" District to "UUV-NE – Uptown Urban Village Northeast" District, the following lands situated in the City of Fort Lauderdale, Broward County, Florida, to wit:

A PORTION OF PARCEL "A", "REFLECTIONS", ACCORDING TO
THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 119,
PAGE 46, OF THE PUBLIC RECORDS OF BROWARD COUNTY,
FLORIDA

Location: Northwesternly of I-95, east of North Andrews Avenue,
north of East Cypress Creek Road (Northeast 62nd
Street) and south of Cypress Creek Canal (C-14)

Also more particularly described and depicted in Exhibit "A" attached hereto and made a part hereof.

SECTION 4. That the appropriate City officials of the City of Fort Lauderdale shall indicate such zoning upon a copy of the Official Zoning Map, and shall indicate an amendment of Schedule "A" accordingly, upon the records with proper reference to this ordinance, the date of passage.

SECTION 5. Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All other applicable state or federal permits must be obtained before commencement of the development.

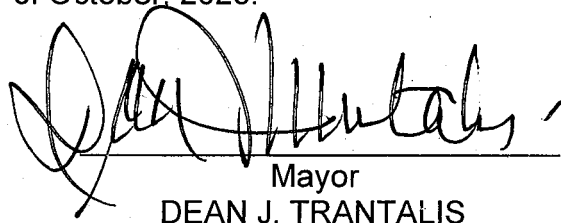
SECTION 6. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 7. That all ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent of such conflict.

SECTION 8. That this Ordinance shall be in full force and effect on the date ten (10) days from the date of final passage.

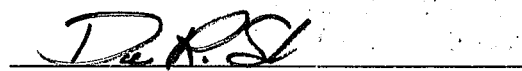
PASSED FIRST READING this 19th day of September, 2023.

PASSED SECOND READING this 3rd day of October, 2023.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
DAVID R. SOLOMAN

**SKETCH & DESCRIPTION
A PORTION OF PARCEL "A"**
REFLECTIONS
(P.B. 119, PG. 46, B.C.R.)
CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA
REZONING PETITION FROM "B-3" TO "UUV-NE"

SURVEYOR'S NOTES:

1. Reproductions of this Sketch are not valid without the signature and the original seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to this sketch by other than the signing party is prohibited without written consent of the signing party.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are relative to said plat, based on the north line of said Parcel "A", having a bearing of S72°32'57"E.
5. LESS OUT land based on deed, as recorded at Instrument #115871388, of the Public Records of Broward County, Florida.
6. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
7. Abbreviation Legend: B.C.R. = Broward County Records; F.B. = Field Book; L.B. = Licensed Business; O.R.B. = Official Records Book; P.B. = Plat Book; PG. = Page; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17, Florida Administrative Code, pursuant to Chapter 472, Florida Statutes.


Date: 5/11/2023

John T.
Doogan,
PLS

Digitally signed
by John T.
Doogan, PLS
Date: 2023.05.11
08:48:03 -04'00'

John T. Doogan
JOHN T. DOOGAN, P.L.S.
Florida Registration No. 4409
AVIROM & ASSOCIATES, INC.
L.B. No. 3300

**NOT VALID WITHOUT
SHEETS 1 THRU 4**

REVISIONS		AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2nd AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 (561) 392-2594 / www.AVIROMSURVEY.com <small>©2023 AVIROM & ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.</small>	JOB #: 11985-4 SCALE: - DATE: 04/12/2022 BY: W.R.E. CHECKED: J.T.D. F.B. - PG. - SHEET: 1 OF 4
REVISE 05/10/2023 			

SKETCH & DESCRIPTION
A PORTION OF PARCEL "A"
 REFLECTIONS
 (P.B. 119, PG. 46, B.C.R.)
 CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA
REZONING PETITION FROM "B-3" TO "UUV-NE"

LAND DESCRIPTION:

Parcel 'A', REFLECTIONS, according to the Plat thereof, as recorded in Plat Book 119, Page 46, of the Public Records of Broward County, Florida.

Said lands lying in the City of Fort Lauderdale, Broward County, Florida, less the following described land:

That portion of Parcel A of "Reflections" as recorded in Plat Book 119, at Page 46, of the Public Records of Broward County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Parcel A; thence South 00°12'18" East for 103.29 feet along the Easterly boundary of said Parcel A to an intersection with the Northwestern right of way line of interstate 95; thence South 41°34'31" West along the said Northwestern right of way line, for 337.68 feet; thence South 48°57'43" West along said Northwestern right of way line, for 458.01 feet to the Easternmost corner of Parcel A of "Park Lake" as shown on Plat recorded in Plat Book 106, at Page 1, of the Public Records of Broward County, Florida; thence North 89°42'21" West along the boundary of Parcel A of said "Park Lake" for 152.00 feet to the Point of Beginning of the following described parcel of land; thence North 89°42'21" West along the boundary line of Parcel A of said "Park Lake" for 631.50 feet to the Southwest corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 10, Township 49 South, Range 42 East, Broward County, Florida (same being a corner on the boundary of Parcel A of said Park Lake); thence North 00°24'57" West for 287.77 feet along the West boundary of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, of said Section 10; thence South 89°42'21" East for 229.28 feet; thence North 54°06'35" East for 12.97 feet; thence North 63°46'42" East for 12.57 feet; thence North 51°50'49" East for 18.52 feet; thence North 04°26'37" East for 14.63 feet; thence North 25°47'37" West for 31.60 feet; thence North 56°26'19" East for 53.51 feet; thence South 42°39'54" East for 29.84 feet; thence South 33°33'41" East for 283.56 feet; thence South 89°42'21" East for 159.66 feet; thence South 00°17'39" West for 128.00 feet to the Point of Beginning; lying and being in Broward County, Florida.

Said lands lying in the City of Fort Lauderdale, Broward County, Florida and containing 804,467 square feet (18.4680 acres), more or less.

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REVISE 05/10/2023



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING

50 S.W. 2nd AVENUE, SUITE 102
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JOB #: 11985-4

SCALE: -

DATE: 04/12/2022

BY: W.R.E.

CHECKED: J.T.D.

F.B. - PG. -

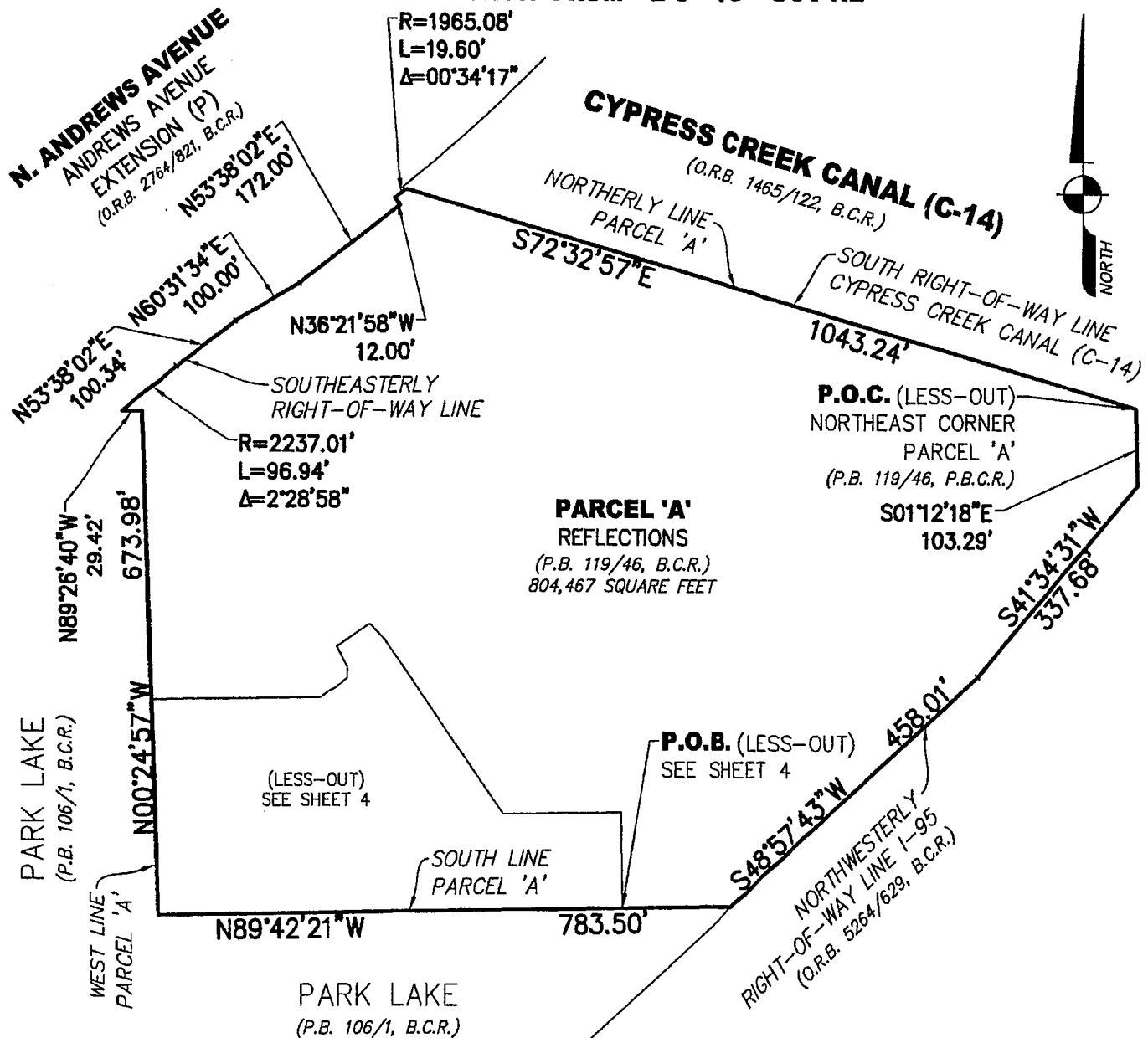
SHEET: 2 OF 4

SKETCH & DESCRIPTION A PORTION OF PARCEL "A"

REFLECTIONS

(P.B. 119, PG. 46, B.C.R.)

CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

REZONING PETITION FROM "B-3" TO "UUV-NE"

GRAPHIC SCALE IN FEET
SCALE: 1" = 200'

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JOB #: 11985-4

SCALE: 1" = 200'

DATE: 04/12/2022

BY: W.R.E.

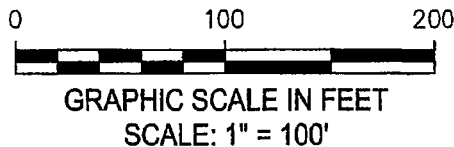
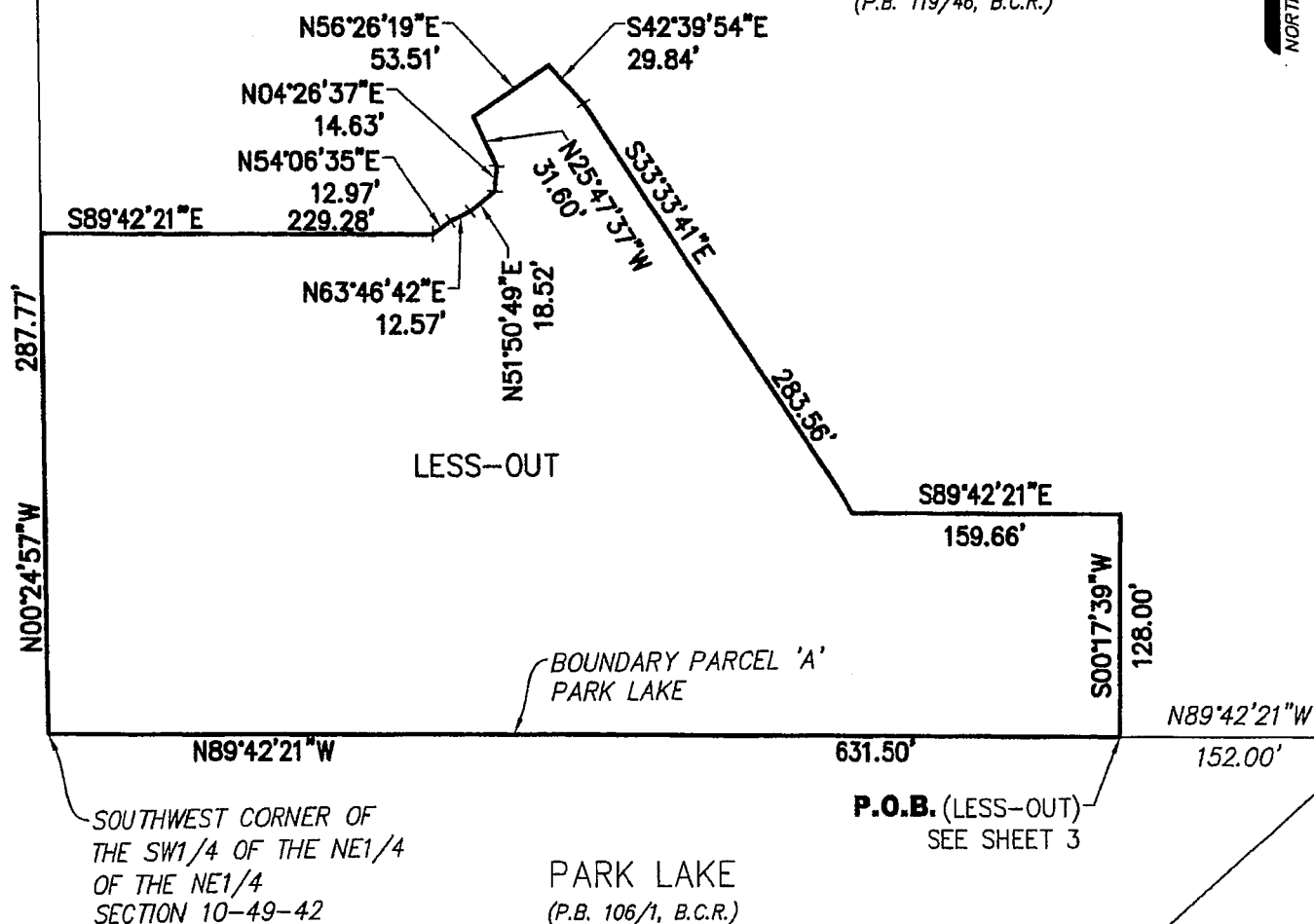
CHECKED: J.T.D.

F.B. - PG. -

SHEET: 3 OF 4

SKETCH & DESCRIPTION
A PORTION OF PARCEL "A"
 REFLECTIONS
 (P.B. 119, PG. 46, B.C.R.)
 CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA
REZONING PETITION FROM "B-3" TO "UUV-NE"

PARCEL 'A'
 REFLECTIONS
 (P.B. 119/46, B.C.R.)



**NOT VALID WITHOUT
SHEETS 1 THRU 4**

REVISIONS

REVISE 05/10/2023



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JOB #: 11985-4

SCALE: 1" = 100'

DATE: 04/12/2022

BY: W.R.E.

CHECKED: J.T.D.

F.B. -- PG. --

SHEET: 4 OF 4