

ORDINANCE NO. C-23-04

AN ORDINANCE 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 RESIDENTIAL MULTIFAMILY MID RISE/MEDIUM HIGH DENSITY DISTRICT ("RMM-25") TO NORTHWEST REGIONAL ACTIVITY CENTER-MIXED USE EAST DISTRICT ("NWRAC-MUe"), ALL OF LOTS 37 THROUGH 48, BLOCK 321, "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED WEST OF NORTHWEST 2ND AVENUE, NORTH OF NORTHWEST 6TH STREET (SISTRUNK BOULEVARD), EAST OF NORTHWEST 3RD AVENUE AND SOUTH OF NORTHWEST 7TH STREET, ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicant, Water Tower Apartments, LLC, applied for the rezoning of certain property as more particularly described in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, on October 19, 2022, the Planning and Zoning Board (PZ Case No. UDP-Z22016) did recommend to the City Commission of the City of Fort Lauderdale ("City Commission") that certain lands herein described should be rezoned in the respects mentioned and that the Official Zoning Map and Schedule "A" attached thereto should be amended to include such lands; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, January 24, 2023, and Tuesday, February 7, 2023, at 6:00 P.M., in the City Commission Room, City Hall, Fort Lauderdale, Florida, for the purpose of hearing any public comment to such rezoning; and

WHEREAS, such public hearing was duly held at the time and place designated after notice of same was given by publication 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 City Commission finds that the application for rezoning meets the criteria of Section 47-24.4 of the Unified Land Development Regulations (“ULDR”) as enunciated and memorialized in the minutes of its meetings of January 24, 2023, and February 7, 2023, a portion of those findings expressly listed as follows:

1. The proposed Northwest Regional Activity Center-Mixed Use east (NWRAC-MUe) zoning designation is consistent with the NWRAC future land use designation. The NWRAC future land use designation is intended to create a vibrant community with a successful mix of businesses and residential uses defined with walkable streets and quality buildings based upon the Northwest-Progresso-Flagler Heights Implementation Plan (NPF CRA). The proposed rezoning from RMM-25 to NWRAC-MUe is consistent with the City’s Comprehensive Plan applicable goals, objectives, and policies, specifically Future Land Use Element Goal 2, Objective 2.4, Policy 2.4.3 which encourages revitalization of redevelopment areas and redevelopment to be consistent with the Northwest/Progresso/Flagler Heights Redevelopment Plan.
2. The change anticipated by the proposed rezoning will not adversely impact the character of the development in or near the area under consideration. The character of the area lends itself to the inclusion of supportive uses, such as bars, restaurants, retail, and coffee shops, which requires residential development to support existing and future commercial uses along primary corridor of Sistrunk Blvd and nearby Flagler Village. The property is surrounded by properties zoned RMM-25 to the north and east consisting of single family and multifamily properties, Commercial/Light Industrial Business (B-3) to the west consisting of warehouses, and NWRAC-MUe to the south containing a midrise mixed-use building comprised of first floor commercial uses and 5 floors of residential units. The Northwest/Progresso/Flagler Heights Redevelopment Plan promotes the renovation of existing structures, with new infill development to help support local commerce and community revitalization. Rezoning of properties to NWRAC-MUe is in alignment with the neighborhood’s goal of supporting redevelopment opportunities and has the potential of increasing housing opportunities and local employment. Housing

is needed to support new businesses and ensures higher levels of purchasing power through increases in density, helping to fortify the economic vitality of existing future businesses in the Progresso Village Neighborhood.

3. The uses permitted by the NWRAC zoning district are compatible with the character of the surrounding districts and uses. The NWRAC Master Plan is intended to promote and enhance the existing mix of uses and character of the NWRAC by providing for a wide range of employment, shopping, services, cultural and residential opportunities, with a mixture of residential and non-residential uses. Rezoning to NWRAC-MUe would ensure compliance with the development standards required by the NWRAC Master Plan. Moreover, the subject sites abut mixed use properties along Sistrunk Blvd and Flagler Village, both areas containing zoning designations that support higher density development, walkability, and commercial services to nearby residential neighborhoods. The expansion of the NWRAC-MUe zoning district aligns with an existing development pattern that seeks to provide services to nearby residential neighborhoods and is not out of character based existing districts and uses. Lastly, pursuant to ULDR Section 47-13.29, Design Standard Applicability, future developments are required to meet the Northwest Regional Activity Center Design Standards, which include but are not limited to building orientation, architectural requirements, open space, vehicular and pedestrian access, building materials, active ground floor uses and facades. Additional standards for parking facilities, landscaping, signage, and streetscapes will also be applied during the development review process at the time of site plan application to further ensure neighborhood compatibility.

SECTION 2. That the City of Fort Lauderdale 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, be amended by rezoning from Residential Multifamily Mid Rise/Medium High Density District ("RMM-25") to Northwest Regional Activity Center–Mixed Use East District ("NWRAC-MUe"), the following lands, situated in the City of Fort Lauderdale, Broward County, Florida, to wit:

ALL OF LOTS 37 THROUGH 48, BLOCK 321, "PROGRESSO",
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN
PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF
DADE COUNTY, FLORIDA

Location: West of Northwest 2nd Avenue, north of Northwest 6th Street (Sistrunk Boulevard), east of Northwest 3rd Avenue and south of Northwest 7th Street

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

SECTION 3. 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 and date of passage.

SECTION 4. 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 5. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 6. That this Ordinance shall be in full force and effect ten (10) days from the date of final passage.

PASSED FIRST READING this 24th day of January, 2023.

PASSED SECOND READING this ___ day of _____, 2023.

ATTEST:

Mayor
DEAN J. TRANTALIS

City Clerk
DAVID R. SOLOMAN

SPECIFIC PURPOSE SKETCH AND LEGAL DESCRIPTION

Rezone from Residential Multifamily Mid Rise/ Medium High Density (RMM-25) to
Northwest Regional Activity Center - Mixed Use east (NWRAC-MUe)

LEGAL DESCRIPTION:

FOLIO: 4942 34 07 6670

LOTS 37, 38, 39, 40, 41, 42, 43, AND 44, BLOCK 321, OF "PROGRESSO", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

SAID LANDS NOW LYING, BEING AND SITUATE IN BROWARD COUNTY, FLORIDA;

TOGETHER WITH;

FOLIO: 4942-34-07-6690

LOTS 45, 46, 47 AND 48, BLOCK 321, OF "PROGRESSO", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

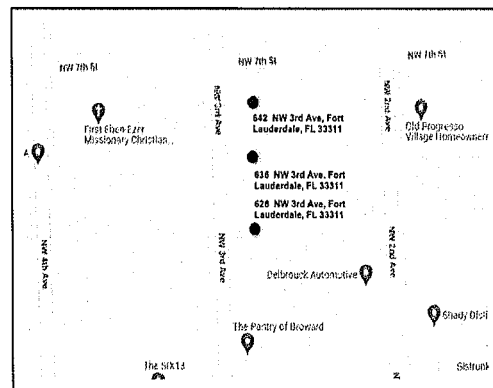
SAID LANDS NOW LYING, BEING AND SITUATE IN BROWARD COUNTY, FLORIDA.

PROPERTY ADDRESS:

628, 636 & 642 NW 3 AVE. FORT LAUDERDALE, 33311

GENERAL NOTES:

- 1) THIS SPECIFIC PURPOSE SKETCH IS BASED UPON RECORD INFORMATION PROVIDED BY CLIENT OR CLIENT'S REPRESENTATIVE. NO SPECIFIC SEARCH OF THE PUBLIC RECORD HAS BEEN MADE BY THIS FIRM UNLESS OTHERWISE NOTED.
- 2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENT OR OTHER RECORDED ENCUMBRANCES. THIS IS NOT A BOUNDARY SURVEY.
- 3) UNDERGROUND PORTION OF FOOTING, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- 4) NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY ONLINE LAND SURVEYORS INC.
- 5) THIS SPECIFIC PURPOSE SKETCH IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES AND IS NOT INTENDED FOR USE IN DESIGN OR CONSTRUCTION PURPOSES. ONLINE LAND SURVEYORS INC. ASSUMES NO RESPONSIBILITIES FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE.
- 6) BEARING SHOWN HEREON ARE BASED ON PLAT.
- 7) SPECIFIC PURPOSE SKETCH MEANS A DRAWING AND/OR GRAPHIC REPRESENTATION OF A SKETCH WORK PERFORMED, COULD BE DRAWN AT A SHOWN SCALE AND/OR NOT TO SCALE.
- 8) NOT VALID UNLESS SEALED WITH THE SIGNINGS SURVEYORS EMBOSSED SEAL.
- 9) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSE SURVEYOR & MAPPER.
- 10) THIS IS A SPECIFIC PURPOSE SKETCH UNLESS OTHERWISE NOTED.
- 11) LIABILITY OF THIS SPECIFIC PURPOSE SKETCH IS LIMITED TO THE FEE CHARGED TO PRODUCE THE EXISTENCE OF ADDITION RECORDED OR UNRECORDED INSTRUMENTS, EASEMENTS AND/OR RESOLUTIONS NOT AVAILABLE TO SURVEYORS MAY EXIST AND ARE NOT DEPICTED ON THIS SKETCH.



ALL BEARINGS AND DISTANCES SHOWN HEREON ARE RECORDED AND MEASURED UNLESS OTHERWISE NOTED.

ABBREVIATIONS AND LEGEND:

- RES =DENOTES RESIDENCE
- SWK =DENOTES SIDEWALK
- ENCR. =DENOTES ENCROACHMENT
- A/C =DENOTES AIR CONDITIONING UNIT
- CONC. =DENOTES CONCRETE
- (M) =DENOTES MEASURE
- (R) =DENOTES RECORD
- R/W =DENOTES RIGHT - OF- WAY
- C =DENOTES CENTERLINE
- U.E. =DENOTES UTILITY EASEMENT
- P.B. =DENOTES PLAT BOOK
- PG. =DENOTES PAGE
- C.O. =DENOTES CLEAN OUT
- ☐ =DENOTES WATER METER
- ☐ =DENOTES WOOD POWER POLE
- =DENOTES WOOD FENCE
- =DENOTES CHAIN LINK FENCE
- =DENOTES IRON FENCE
- OH- =DENOTES OVERHEAD WIRES
- ⊙ =DENOTES FOUND IRON PIPE (NO ID.)

SHEET 1 OF 2

NOT VALID WITHOUT ALL PAGES

ONLINE LAND SURVEYORS, INC.				
PROFESSIONAL SURVEYOR AND MAPPER				
6175 NW 153rd STREET, SUITE #401, Miami Lakes, FL, 33014				
PHONE: (305) 910-0123			L.B. No. 7904	
SPECIFIC PURPOSE SKETCH & LEGAL DESC.				
Original Date:	Field date:	Revision Date:	Drawn by:	Job No.
07/22/2022	N/A	07/22/2022	G.M.	0-90267 SK1

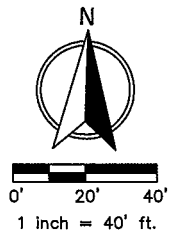
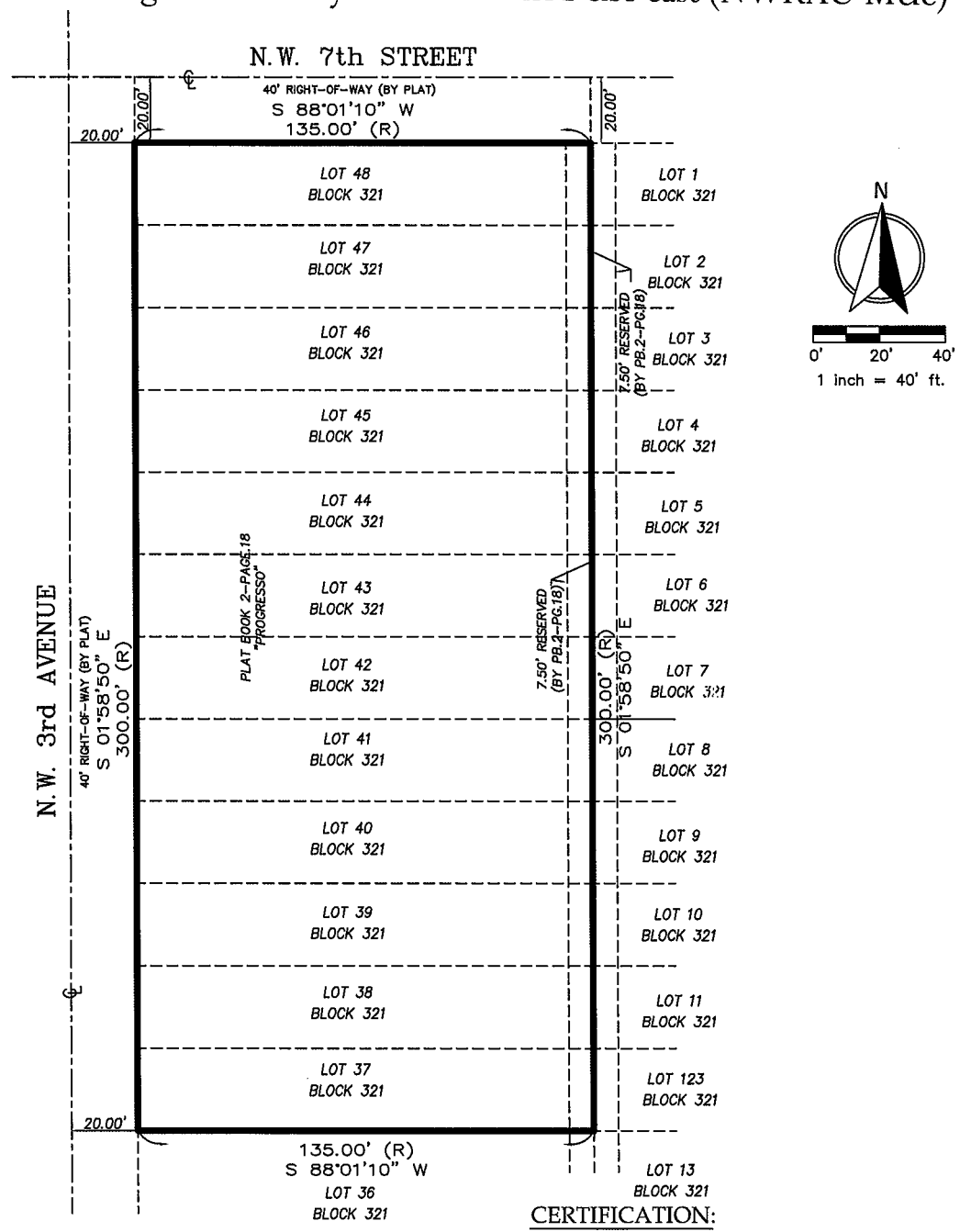
CAM # 23-0187

Exhibit 7

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SPECIFIC PURPOSE SKETCH AND LEGAL DESCRIPTION

Rezone from Residential Multifamily Mid Rise/ Medium High Density (RMM-25) to
Northwest Regional Activity Center - Mixed Use east (NWRAC-MUe)



CERTIFICATION:

SURVEYOR'S CERTIFICATION: I HEREBY CERTIFY THAT THIS "ALTA/NSPS LAND TITLE SURVEY" IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. THIS COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS, AS SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Guillermo A. Guerrero

GUILLERMO A. GUERRERO
SIGNED

P.S.M. No. 6453 - STATE OF FLORIDA
FOR THE FIRM

NOT VALID WITHOUT AN AUTHENTIC ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL AND/OR THIS MAP IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSE SURVEYOR AND MAPPER.

SHEET 2 OF 2

NOT VALID WITHOUT ALL PAGES

ONLINE LAND SURVEYORS, INC.
PROFESSIONAL SURVEYOR AND MAPPER
6175 NW 153rd STREET, SUITE #401, Miami Lakes, FL, 33014
PHONE: (305) 910-0123 L.B. No. 7904

SPECIFIC PURPOSE SKETCH & LEGAL DESC.

Original Date:	Field date:	Revision Date:	Drawn by:	Job No.
07/22/2022	N/A	07/22/2022	G.M.	O-90267 SK1

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