



TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: February 4, 2014

TITLE: QUASI-JUDICIAL – FIRST READING OF ORDINANCE – Rezone from
Residential Mid Rise Multifamily/Medium Density District (RMM-25) to
Exclusive Use – Parking Lot (X-P) with Commercial Flex Allocation – Case
8ZR13

Recommendation

It is recommended that the City Commission adopt an ordinance rezoning 10,000 square feet of land, located north of NE 26 Street between Middle River Drive and North Federal Highway, from Residential Mid Rise Multifamily/Medium Density District (RMM-25) to Exclusive Use – Parking Lot (X-P) through allocation of commercial flex acreage, and approving the associated site plan for a proposed Chick-fil-A restaurant located at 2650 North Federal Highway.

Background

The applicant proposes to construct a 3,497 square-foot restaurant with a drive-thru component at 2650 N. Federal Highway, north of NE 26th Street. Location map is included as Exhibit 1. Site Plan is included as Exhibit 2. The proposal includes the development of a surface parking lot, east of and directly across the alley that lies adjacent to the site and west of Middle River Drive. This 10,000 square-foot parcel of land is proposed to be rezoned from RMM-25 to X-P to construct a surface parking lot which will serve the restaurant use. A letter of support from the Coral Ridge Civic Association is attached as Exhibit 3.

Pursuant to criteria outlined in Unified Land Development Regulations (ULDR) Sections 47-24.4.D, Rezoning, 47-9.20, X-District Rezoning Criteria, 47-28, Flexibility rules, 47-23.9, Interdistrict Corridor Requirements, 47-25.3, Neighborhood Compatibility and 47-25.2, Adequacy Requirements, the rezoning was reviewed by the Planning and Zoning Board (PZB) on December 18, 2013, and recommended for approval by a vote of 8-0, with conditions herein. The application and the record and report of the PZB are available as Exhibits 4, 5 and 6 respectively. The sketch and description are provided as part of the attached ordinance.

Pursuant to criteria outlined in ULDR Section 47-24.4.D, Rezoning, an application for a rezoning shall be reviewed in accordance with the following criteria:

1. The zoning district proposed is consistent with the City's Comprehensive Plan.

The parking lot site is designated Medium-High Residential on the City's Future Land Use Map. The X district provides the opportunity for certain low intensity commercial uses to be placed within a residential area in a manner compatible with the residential character of the area. The surface parking will accommodate employee parking and additional restaurant parking, and will be buffered with significant landscaping improvements. The X-P zoning designation is consistent with the City's Comprehensive Plan in that the proposed rezoning is permitted in this land use category, subject to the allocation of commercial flexibility acreage. The property is located in Flex Zone 46, which has 58.75 commercial acres available for allocation. Applicant is requesting an allocation of .229 acres of commercial flexibility.

2. Substantial changes in the character of development in or near the area under consideration supports the proposed rezoning.

The surrounding properties across the alley to the west are zoned Boulevard Business (B-1) and have a Commercial Land Use Designation, consistent with the restaurant use. The properties to the north and south are zoned Residential Mid Rise Multifamily/Medium Density District (RMM-25) and have a Medium-High Land Use designation. The properties across Middle River Drive to the east are zoned Residential Single Family/Duplex/Low Medium Density District (RD-15) and have a Low Residential Land Use designation. The proposed rezoning request would result in the development of a surface parking lot and no additional uses which would significantly impact the character of the surrounding 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.

This site is currently vacant. The proposed X-P zoning district is intended to be restricted to parking only and serves as a buffer between the existing residential and commercial area. The properties to the east and north of the site include one and two-story single-family homes and duplexes. The properties to the south and west include a mix of commercial uses. The proposed rezoning would not represent a substantial change to the character of the surrounding area.

As per ULDR Section 47-9.20.C, an application for a rezoning to an X district shall be reviewed in accordance with the following criteria:

1. The proposed site and use meet the conditions and performance criteria provided in this section.
2. The height, bulk, shadow, mass and design of any structure located on the site is compatible with surrounding properties and is consistent with the goals and objectives for the location of the property as provided in the comprehensive plan.

There are no structures proposed on the site under application for rezoning to X-P. In association with the rezoning request for the surface parking lot, a one-story, 3,497 square-foot restaurant including a drive thru facility is proposed on the B-1 portion of the development. The proposed restaurant is approximately 22-feet in height, a scale which is generally consistent with other development in the area.

Vehicular ingress into the parking lot is provided from Middle River Drive and from the restaurant site across the alley to the west. The lot can also be accessed from the south from the adjacent site. A two-way ingress/egress from North Federal Highway is the primary access for the restaurant site. A total of 38 parking spaces are required for the proposed development. Twenty-three (23) spaces are proposed on the restaurant site, and fifteen (15) are proposed on the X-P site. Pursuant to discussions at the Planning and Zoning Board meeting about potential vehicular conflicts within the existing alley running north and south between the proposed parking lot and restaurant site, Transportation & Mobility staff is evaluating adding some directional signage.

To help with pedestrian connectivity in the area a pedestrian walkway is provided from the existing sidewalk along North Federal Highway to the main entrance of the building, including an outdoor seating area. To help further improve the pedestrian experience in this area, the applicant is also proposing a shaded seating structure within the ULDR 20-foot Interdistrict yard requirement, which does not currently permit this structure as proposed. However, staff is currently in the process of drafting amendments to ULDR Sec. 47-23.9, Interdistrict Corridor Requirements to allow these and similar uses in the 20-foot required yard to further a more engaging and pedestrian-friendly, active environment along the corridor. The proposed structure is conditioned upon the approval of the ULDR amendment.

The City Commission shall hold a public hearing to consider the application and the record and recommendations forwarded by the Department and the Planning and Zoning Board (“PZB”) and shall hear public comment on the application when determining whether the rezoning request meets the criteria for rezoning.

Conditions

1. The placement of the shade structure as currently proposed is subject to approval of ULDR amendment to Section 47-23.9, Interdistrict Corridor Requirements.

2. The employees of the proposed restaurant shall be required to park in the proposed parking lot located on the X-P parcel.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Business Development Cylinder of Excellence, specifically advancing:

- Goal 7: Be a well-positioned City within the global economic and tourism markets of the South Florida region, leveraging our airports, ports and rail connection.
- Objective 2: Facilitate a responsive and proactive business climate.

This item advances the *Fast Forward Fort Lauderdale Vision Plan 2035: We Are Prosperous*.

Resource Impact

There is no fiscal impact associated with this action

Attachments:

Exhibit 1 – Location Map

Exhibit 2 – Site Plan

Exhibit 3 – Neighborhood Association Letter

Exhibit 4 – Applicant's Narrative

Exhibit 5 – Staff Report from the December 18, 2013 PZB Meeting

Exhibit 6 – Approved Minutes from the December 18, 2013 PZB Meeting

Exhibit 7 – Ordinance

Prepared by: Thomas Lodge, Planner II

Department Director: Greg Brewton, Sustainable Development