

REQUEST: Rezoning; from Residential Mid Rise Multifamily/Medium High Density District (RMM-25), Mobile Home Park (MHP), General Business (B-2) and Community Business (CB) to Boulevard Business (B-1)

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| Case Number | 4Z13 |
| Applicants | GDC Broward RB LLC, Riverbend South LLC, Jennifer Persaud, Les Wills Riverland Bait Tackle and Gun Shop Inc, Carl T Waldron, ARCO Property Management LLC, Brian Pattullo, Broward County Board of Commissioners, Arlene and George Berger, Sunmax LLC, Donald Swinarski Jr, |
| General Location | South side of Broward Boulevard between SW 27 Avenue and SW 24 Avenue |
| Property Size | Parcel 1 – 399,525 SF (9.17 acres) Parcel 2 – 311,749 SF (7.15 acres) Parcel 3 – 149,986 SF (3.44 acres) Parcel 4 – 164,602 SF (3.77 acres) Parcel 5 – 17,929 SF (.41 acres) Parcel 6 – 44,995 SF (1.03 acres) |
| Current Zoning | Residential Mid Rise Multifamily/Medium High Density District (RMM-25), Mobile Home Park (MHP), General Business (B-2) and Community Business (CB) |
| Existing Use | Vacant, Residential, Commercial |
| Proposed Use | Commercial Retail |
| Future Land Use Designation | Medium-High Residential (existing) / Commercial (pending) |
| Applicable ULDR Sections | Sec. 47-24.4 Rezoning Criteria Sec. 47-25.2 Adequacy Criteria |
| Project Planner | Thomas Lodge, Planner II |

PROJECT DESCRIPTION:

The applicant is requesting to rezone six separate parcels, totaling 1,088,786 square feet (24.99 acres) of land, located south of W. Broward Boulevard between SW 27th Avenue and SW 24th Avenue, from Residential Mid Rise Multifamily/Medium High Density District (RMM-25), Mobile Home Park (MHP), General Business (B-2) and Community Business (CB) to Boulevard Business (B-1) for the development of a new commercial shopping center. The applicant has indicated that the associated development plan will be submitted for review on an upcoming Development Review Committee (DRC) agenda. Plat approval for this site will also be reviewed at the August 21, 2013 Planning and Zoning Board meeting.

As part of a separate but associated request, the applicant has also submitted an application to amend the Future Land Use Map of the City of Fort Lauderdale and Broward County, to change the land use on the subject site from Medium-High Residential to Commercial. The land use amendment was reviewed by the Planning and Zoning Board on November 28, 2012 and was approved by a vote of 9-0. The City Commission reviewed the land use amendment on first reading at the January 8, 2013 meeting and approved the item by a vote of 4-0.

The legal sketch and description of the area to be rezoned is included in the plan sets. For reference, a draft conceptual site plan for development of the new commercial shopping center, as currently proposed by the applicant, is also attached.

REVIEW CRITERIA:

As per ULDR Section 47-24.4.D, 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 site is currently designated Medium-High Residential on the City's Future Land Use Map. The applicant is currently in the process of amending the Future Land Use Maps of the City of

Fort Lauderdale and Broward County from Medium-High Residential to Commercial. Once the land use amendment is approved, the proposed rezoning will be consistent with the City's Comprehensive Plan.

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

The surrounding properties to the south are zoned Residential Single Family/Low Medium Density District (RS-8), Mobile Home Park (MHP) and Community Business (CB). The properties to the east across SW 24th Avenue are zoned Residential Single Family/Low Medium Density District (RS-8) and Boulevard Business (B-1). The properties to the west across SW 27th Avenue are zoned Boulevard Business (B-1) and General Business (B-2), and the properties across W. Broward Boulevard to the north are zoned Broward County Intense Commercial Business District (B-3), Broward County General Manufacturing and Industrial District (M-2), and Broward County Community Facilities (CF). As per the applicant's submittal information, over the past few decades the site has included used car lots, strip retail and a mobile home park. Approximately 23.8 acres of the site is currently vacant, 3.5 acres are used for residential uses and 1 acre currently serves commercial uses. The parcels to be rezoned will accommodate a proposed 185,992 square-foot retail store and other future commercial development with associated parking. The site is located in close proximity to a Tri-Rail station and Interstate 95, allowing for easy access to the site and opportunity for a connection to mass transit.

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 proposed rezoning would not represent a substantial change to the character of the surrounding area. A majority of parcels along W. Broward Boulevard are currently zoned and used for business uses including retail and office. The corridor serves as an established, commercial area, with supporting residential uses located in close proximity within nearby blocks north and south of the main boulevard. The rezoning will enable the applicant to develop the commercial shopping center and associated parking, while serving the local and regional community.

The applicant has provided a narrative response to the criteria, attached to the plans sets. Staff concurs with applicant's assessment.

STAFF FINDINGS:

Staff recommends the Board approve this request with condition as stated below, and consistent with:

ULDR Sec. 47-24.4 Rezoning Criteria;
ULDR Sec. 47-25.2 Adequacy Criteria.

CONDITIONS:

1. Pursuant to State Statute Section 163.3184(12) Concurrent Zoning, the rezoning is contingent upon the Comprehensive Plan amendment transmitted to become effective.

PLANNING & ZONING BOARD REVIEW OPTIONS:

If the Planning and Zoning Board determines that the application meets the criteria as provided in this section, the Planning and Zoning Board shall recommend that the rezoning be approved or recommend a rezoning to a more restrictive zoning district than that requested in the application if necessary to ensure compliance with the criteria for the rezoning and if consented to by the applicant.

If the Planning and Zoning Board determines that the application does not meet the criteria provided for rezoning or if the applicant does not consent to a more restrictive zoning district, the Planning and Zoning Board shall deny the application and an appeal to the City Commission may be filed by the applicant in accordance with Section 47-26B, Appeals.