



**Request for Rezoning to
RMM-25 from MHP
475 SW 27 Ave.
Fort Lauderdale, FL
December 10, 2016**

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This application is a request to rezone the property located at 475 SW 27 Ave. (the "Property") from MHP (Mobile Home Park) to RMM-25 (Residential Multifamily 25 units per acre). The City land use designation is Medium-High residential and is consistent with the County land use. The land use and zoning for a property must be consistent. This rezoning application seeks to bring the zoning on the Property into conformance with the current and future land use.

This Property was presented to the Planning and Zoning Board in 2007 (Case Number: 2-Z-06) and was unanimously approved for rezoning. Due to economic conditions at that time, that Application was not pursued to City Commission and thereafter expired.

The Property is currently vacant and is bounded to the north and south by a mix of RMM-25 and B-2 zoning; to the west by RS-8 zoning and to the east by SW 27th Avenue. This area is characterized by its mixture of residential housing options. The site previously operated as a mobile home trailer park consistent with the existing zoning.

The Property owner seeks to rezone the Property to the RMM-25 zoning district to allow the development and construction of a multifamily housing project. The attached site plan and renderings are conceptual designs showing a proposed layout for such a proposal. When the Property is re-zoned to RMM-25, a full and complete DRC site plan will be submitted to the City pursuant to the City's Unified Land Development Regulations ("ULDR") for review and approval of any proposed development.

The Applicant believes that the proposed re-zoning to RMM-25 is consistent with goals of the City and a new multifamily development on this site will greatly enhance the area and provide alternate housing options for residents.



Section 1: Sec. 47-24.4 D. Rezoning Criteria

47-24.4 D. Rezoning Criteria.

An application for a rezoning shall be reviewed for compliance with Section 47-25, Development Review Criteria. In addition, 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.***

RESPONSE: The proposed RMM-25 zoning district is consistent with the current and future land use designation on the Property (Medium-High residential). The RMM-25 zoning district provides for a transition from lower intensity zoning districts and higher intensity uses.

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

RESPONSE: The historic use of the Property as a mobile home park is inconsistent with the pattern of development in the surrounding area. Recent years has seen the redevelopment of properties in the area, including a new shopping center to the north and continued multifamily and single family development through he years.

- 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.***

RESPONSE: The existing character of the neighborhood is one of a mix of residential uses, including single family homes and multifamily structures. The rezoning from MHP to RMM-25 increases the compatibility of uses permitted on the Property with the surrounding districts and uses.

Section 2: Sec. 47-5.2. Intent and Purpose

***Sec. 47-5.2. - Intent and purpose of each district.
Residential zoning districts...***

A.

- 8. RMM-25 district is intended for mid-rise multifamily residences and tourist accommodations. The RMM-25 district has a maximum density of***

twenty-five (25) dwelling units per net acre and a maximum density of thirty (30) hotel/motel or nursing home rooms per net acre, which is consistent with the residential medium high category of the city's comprehensive plan. Parcels so designated shall serve as a transition from medium high density multifamily housing and hotel development to single family and midrise multifamily residential neighborhoods and shall be located in proximity to arterial or collector streets or adjacent or near to commercial shopping and office facilities or services.

RESPONSE: The proposed rezoning of the Property to RMM-25 will be more consistent with the surrounding zoning districts. As exemplified in the conceptual plans of this Application, any proposed development will be consistent with the Intent and Purpose of the RMM-25 district. The proposed RMM-25 will provide a transition from the intensity of SW 27th Avenue to the RS-8 – single family area to the west.

Section 3: Sec. 47-5.19 Permitted Uses

Sec. 47-5.19. - List of permitted and conditional uses, RMM-25 Residential Mid Rise Multifamily/Medium High Density District.

District Categories—Residential Dwellings, Lodging, Mixed Use Development, Public Purpose Facilities, Child Day Care Facilities, Nursing Home Facilities, and Accessory Uses, Buildings and Structures....

Multifamily Dwelling...

(Full List of Permitted Uses found in ULDR Section 47-5.19 Chart).

RESPONSE: As seen in the attached conceptual plans, the Applicant intends to develop the Property as a multifamily dwelling project, consistent with the ULDR.

Section 4: 47-25.2 Adequacy

47-25.2 Adequacy

1. Communications network: Buildings and structures shall not interfere with the city's communication network. Developments shall be modified to accommodate the needs of the city's communication network, to eliminate any interference a development would create or otherwise accommodate the needs of the city's communication network within the development proposal.

RESPONSE: Building(s) proposed as part of a development application will not interfere with the City's communications network. Applicant will coordinate with the City during site plan application phase to ensure such..

2. Drainage facilities: *Adequate stormwater management facilities shall be evaluated based upon the adopted level of service requiring the retention of the first inch of runoff from the entire site or two and one half (2½) inches of runoff from the impervious surface whichever is greater.*

RESPONSE: The Property is platted and adequate drainage facilities exist.

3. Environmentally sensitive lands: *The proposed development shall be reviewed pursuant to applicable federal, state, regional and local environmental regulations. Specifically, an application for development shall be reviewed in accordance with Broward County Ordinances which address environmentally sensitive lands and wellfield protection.*

RESPONSE: There are no environmental land issues or wellfield issues identified for the Property.

4. Fire protection: *Fire protection service shall be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities are provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.*

RESPONSE: The project will comply with applicable codes.

5. Parks and open space: *1. The manner and amount of providing park and open space is as provided in Section 47-38A, Park Impact Fees, of the ULDR.*

2. No building permit shall be issued until the park impact fee required by Section 47-38A of the ULDR has been paid in full by the applicant.

RESPONSE: Any proposed residential development on the re-zoned Property will comply.

6. Police protection: *Police protection service shall be adequate to protect people and property in the proposed development. The development shall provide improvements which are consistent with Crime Prevention Through Environmental Design (CPTED) to minimize the risk to public safety and assure adequate police protection*

RESPONSE: The Project provides improvements which are consistent with Crime Prevention Through Environmental Design.

7. Potable water: Adequate potable water service shall be provided for the needs of the proposed development. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, should it be deemed necessary.

RESPONSE: The Property is platted and adequate water capacity exists. City water will be used.

8. Sanitary sewer: Engineering will ensure that if the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from the design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.

RESPONSE: The Property is platted and sanitary sewer capacity exists.

9. Schools: For all development including residential units, the applicant shall be required to mitigate the impact of such development on public school facilities in accordance with the Broward County Land Development Code or section 47-38C. Educational Mitigation, as applicable and shall provide documentation to the city that such education mitigation requirement has been satisfied.

RESPONSE: The proposed parking lot is not a residential project and therefore will not add capacity to schools.

10. Solid waste: Adequate solid waste collection facilities and service shall be obtained by the applicant in connection with the proposed development and evidence shall be provided to the city demonstrating that all solid waste will be disposed of in a manner that complies with all governmental requirements. 2. Solid waste facilities. Where the city provides solid waste collection service and adequate service can be provided, an adequacy finding shall be issued. Where there is another service provider, a written assurance will be required. The impacts of the proposed development will be determined based on Table 4, Solid Waste, on file with the department.

RESPONSE: A proposed multifamily development will use City waste collection.

11. Stormwater: Adequate stormwater facilities and systems shall be provided so that the removal of stormwater will not adversely affect

adjacent streets and properties or the public stormwater facilities and systems.

RESPONSE: A proposed multifamily development will use City drainage systems.

12. Transportation facilities: *The capacity for transportation facilities shall be evaluated based on Table 1, Generalized Daily Level of Service Maximum Volumes, on file with the department. If a development is within a compact deferral area, the available traffic capacity shall be determined in accordance with Table 2, Flowchart, on file with the department.*

2. Regional transportation network. *The regional transportation network shall have the adequate capacity, and safe and efficient traffic circulation to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the adopted traffic elements of the city and the county comprehensive plans, and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is needed in order to evaluate the impacts of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit such a study to the city which will be considered by the DRC in its review. Roadway improvements needed to upgrade the regional transportation network shall be made in accordance with the city, the county, and Florida Department of Transportation traffic engineering standards and plans as applicable.*

3. Local streets. *Local streets shall have adequate capacity, safe and efficient traffic circulation, and appropriate functional classification to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the city's comprehensive plan and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is required in order to evaluate the impact of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit to the city such a study to be considered as part of the DRC review. Street improvements needed to upgrade the capacity or comply with the functional classification of local streets shall be made in accordance with the city engineering standards and acceptable applicable traffic engineering standards. Local streets are those streets that are not classified as federal, state or county roadways on the functional classification map adopted by the State of Florida.*

4. Traffic impact studies. *a. When the proposed development may generate over one thousand (1,000) daily trips; or*

b. When the daily trip generation is less than one thousand (1,000) trips; and (1) when more than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half (1/2) hour; or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half (1/2) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in trafficways impact analysis....

5. Dedication of rights-of-way. Property shall be conveyed to the public by plat, deed or grant of easement as needed in accordance with the Broward County Trafficways Plan, the city's comprehensive plan, subdivision regulations and accepted applicable traffic engineering standards.

6. Pedestrian facilities. Sidewalks, pedestrian crossing and other pedestrian facilities shall be provided to encourage safe and adequate pedestrian movement on-site and along roadways to adjacent properties. Transit service facilities shall be provided for as required by the city and Broward County Transit. Pedestrian facilities shall be designed and installed in accordance with city engineering standards and accepted applicable engineering standards.

7. Primary arterial street frontage. Where a proposed development abuts a primary arterial street either existing or proposed in the trafficways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

8. Other roadway improvements. Roadways adjustments, traffic control devices, mechanisms, and access restrictions may be required to control traffic flow or divert traffic, as needed to reduce or eliminate development generated traffic.

9. Street trees. In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements, except in the downtown RAC districts the

requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development's compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.

RESPONSE: A proposed multifamily development will comply at site plan application phase.

12. Wastewater: *Adequate wastewater services shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which wastewater treatment or disposal capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.*

RESPONSE: Adequate Wastewater facilities will be provided and reviewed by the City.

13. Trash management requirements: *A trash management plan shall be required in connection with non-residential uses that provide prepackaged food or beverages for off-site consumption. Existing non-residential uses of this type shall adopt a trash management plan within six (6) months of the effective date of this provision.*

RESPONSE: No non-residential uses will be proposed.

14. Historic and archaeological resources: *If a structure or site has been identified as having archaeological or historical significance by any entity within the State of Florida authorized by law to do same, the applicant shall be responsible for requesting this information from the state, county, local governmental or other entity with jurisdiction over historic or archaeological matters and submitting this information to the*

city at the time of, and together with, a development permit application. The reviewing entity shall include this information in its comments.

RESPONSE: The site has not been identified as having archaeological or historical significance by any entity within the State of Florida authorized by law to do same.

15. Hurricane evacuation: If a structure or site is located east of the Intracoastal Waterway, the applicant shall submit documentation from Broward County or such agency with jurisdiction over hurricane evacuation analysis either indicating that acceptable level of service of hurricane evacuation routes and hurricane emergency shelter capacity shall be maintained without impairment resulting from a proposed development or describing actions or development modifications necessary to be implemented in order to maintain level of service and capacity.

RESPONSE: The Property is not east of the Intracoastal waterway and therefore does not require hurricane evacuation analysis.