

**REQUEST:** Rezoning; from Heavy Commercial/Light Industrial (B-3) to General Business (B-2)

<b>Case Number</b>	5Z13
<b>Applicants</b>	Harbor Park Warehouse, LLC c/o John T. Loos
<b>General Location</b>	981 SE 20 Street
<b>Property Size</b>	2.91 Acres
<b>Current Zoning</b>	Heavy Commercial/Light Industrial (B-3)
<b>Existing Use</b>	Vacant, Commercial
<b>Proposed Use</b>	Mixed Use Development (Residential with Commercial)
<b>Future Land Use Designation</b>	Employment Center
<b>Applicable ULDR Sections</b>	Sec. 47-24.4 Rezoning Criteria Sec. 47-25.2 Adequacy Criteria
<b>Project Planner</b>	Yvonne Redding, Planner II

**PROJECT DESCRIPTION:**

The applicant is requesting to rezone the subject property, totaling 126,759.6 square feet (2.91 acres) of land, located west of SE 10<sup>th</sup> Avenue between SW 19<sup>th</sup> Street and SW 10<sup>th</sup> Street, from Heavy Commercial/Light Industrial (B-3) to General Business (B-2) associated with the development of a new mixed use project.

The legal sketch and description of the area to be rezoned is included in the plan sets. The associated site plan for the mixed-use project and right-of-way vacation request is also scheduled on this agenda.

**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 Employment Center on the City's Future Land Use Map. This designation encourages employment-based development. Such areas are intended to be compatible with residential developments along with less intense uses. The proposed mixed-use development will provide additional residential units along with a commercial component into the area. The Employment Center land use also supports and encourages tourist-oriented segments of the economy. Residential uses are permitted without the need to amend the local land use map, provided that the local government applies flexibility or reserve units to the parcel. The project will require the allocation of 310 residential flexibility units. The property is located in Flex Zone 55, which currently has 690 residential flex units available. If the application is approved, 380 residential flexibility units will remain.

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

The surrounding properties to the south are zoned Residential Multi-Family/Medium High Density District (RMM-25), Commerce Center (CC), Port Everglades Development District (PEDD) and Heavy Commercial/Light Industrial (B-3). The proposed mixed-use development is located at the gateway to the Downtown and Port area and is in close proximity to the airport and major commercial corridors, supporting a mix of uses.

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.

A large multi-family complex, the "Village East Condominiums" is located directly to the south of the proposal. The Harbor Shops Shopping Center is located to the east of the site as well as a new proposed L.A. Fitness Center directly across from the site. Single family and multi-family residential uses are mixed throughout the area to the west and the existing Hyatt Place Hotel is

directly to the north. The proposed rezoning would be consistent with the character of the surrounding area which is mixed-use in nature.

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, consistent with:

ULDR Sec. 47-24.4 Rezoning Criteria;

ULDR Sec. 47-25.2 Adequacy Criteria.

**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.