



REQUEST: Rezoning from General Business (B-2) District to Uptown Urban Village Southeast (UUV-SE) District

CASE	UDP-Z23006	
PROJECT NAME	Aspire Rezoning	
APPLICATION TYPE	Rezoning	
APPROVAL LEVEL	Planning and Zoning Board Recommendation, City Commission Approval	
REQUEST	Rezoning from General Business (B-2) District to Uptown Urban Village Southeast (UUV-SE) District	
APPLICANT	Florida Department of Transportation, Cypress Creek Leaseholder, LLC. / Robert B. Lochrie, Esq.	
AGENT	City of Fort Lauderdale	
PROPERTY ADDRESS	6000 N. Andrews Avenue	
ABBREVIATED LEGAL DESCRIPTION	Lightspeed Broward Center Plat 177-32 B Parcel A	
ZONING DISTRICT	General Business (B-2) District	
LAND USE	Commercial	
PROPOSED LAND USE	Uptown Urban Village Transit Oriented Development	
COMMISSION DISTRICT	1 – John Herbst	
NEIGHBORHOOD ASSOCIATION	N/A	
APPLICABLE ULDR SECTIONS	ULDR, Section 47-24.4 Rezoning Criteria ULDR, Section 47-25.2 Adequacy Requirements	
NOTIFICATION REQUIREMENTS	ULDR, Section 47-27.4, Public Participation ULDR, Section 47-27.5, Mail Notice ULDR, Section 47-27.5, Sign Notice 15 days prior to meeting	
SUBMITTAL	November 27, 2024	
COMPLETENESS ISSUED	N/A	
EXPIRATION	May 26, 2025 (180 days)	
EXTENSION	N/A	
WAIVER	Not Requested	
ACTION REQUIRED	Approve, Approve with Conditions, or Deny	
CASE PLANNER	Michael Ferrera Urban Planner II	<i>MPF</i> 88

PROJECT DESCRIPTION:

The applicant, Robert B. Lochrie, Esq., on behalf of the property owner, Florida Department of Transportation and leaseholder of the property, Cypress Creek Leaseholder, LLC., is requesting to rezone 225,706 square feet (5.18 acres) of land located at 6000 N. Andrews Avenue from General Business (B-2) District to Uptown Urban Village Southeast (UUV-SE) District to permit the development of a mixed-use project on the site. The associated development application, Case No. UDP-S22083, is currently under review by the Development Review Committee (DRC). It should be noted that the proposed site development application transverses the City of Fort Lauderdale and City of Oakland Park jurisdictional lines and staff, along with the applicant, are coordinating project approval on the property located at the City of Oakland Park as well as a physical delineation of both properties to assist inspectors and law enforcement in the future once the projects are complete. A location map is attached as Exhibit 1. The property owner consent form and the application, criteria responses, and sketch and legal description of the property are attached as Exhibit 2 and Exhibit 3, respectively.

BACKGROUND:

The subject property is located in the City's Uptown Project Area (Uptown) and is subject to the vision and goals outlined in the Uptown Master Plan. Uptown is generally described as the area flanked by the C-14 canal and McNab Road to the north, NW 57th Street to the south, Powerline Road to the west, and Interstate 95 (I-95) to the east.

The Uptown Master Plan and associated amendments to the Unified Land Development Regulations (ULDR) were adopted by the City Commission on November 5, 2019, Ordinance C-19-34. The ULDR amendments established new zoning districts for Uptown in order to implement the Uptown Master Plan. Five zoning districts were created based on location, planned land use patterns, design characteristics, redevelopment potential, and mobility needs:

- Uptown Urban Village Northeast (UUV-NE)
- Uptown Urban Village Northwest (UUV-NW)
- Uptown Urban Village Southeast (UUV-SE)
- Uptown Urban Village Southwest (UUV-SW)
- Uptown Urban Village Southcentral (UUV-SC)

During adoption of the ordinance, the City Commission requested staff examine potential incentives that would encourage property owners to rezone their property to the applicable new zoning districts. It was determined that city staff will process rezoning requests for property owners with their written consent, at minimum cost to the property owners. This application is based on a request from the property owner to rezone the subject property.

REVIEW CRITERIA:

Pursuant to the City's Unified Land Development Regulations (ULDR) Section 47-24.4.D, Rezoning Criteria, 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 property is currently zoned B-2 and has an underlying land use designation of Commercial which is intended to allow for uses such as business, service, office, and other commercial enterprises. The proposed UUV-SE zoning district is consistent with this land use designation. It should be noted that the City is processing a land use amendment for Uptown from Commercial to Transit Oriented Development, and the proposed rezoning would also be consistent with the Transit Oriented Development land use designation. The land use plan amendment is anticipated to be completed by the beginning of 2025. Please refer to the Comprehensive Plan Consistency section within this report for additional information.

2. The changes anticipated by the proposed rezoning will not adversely impact the character of development in or near the area under consideration.

The development in the surrounding area is characterized mainly by office, hotel, and commercial uses with a lack of residential and mixed-use developments. Rather than adversely impacting the character of development in the area with more intense uses such as industrial manufacturing, the proposed rezoning to UUV-SE will have a positive impact by allowing for mixed-use development that will create a diverse tax base, add residential to the area, and will further the live, work, play environment that is envisioned for the 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.

The UUV-SE zoning district permitted uses are compatible with the surrounding zoning districts permitted uses in that office, hotel, and commercial uses are permitted in both the existing and proposed zoning, with the addition of residential use permitted in the proposed zoning district as a mixed-use development. The City explicitly adopted the Uptown Master Plan to promote residential and mixed-use for the area. Furthermore, the Uptown Master Plan identifies specific character subareas that residential and mixed-use should be allowed including the subject request, which is proposed in character district 3.

A general comparison of permitted uses in the current and proposed zoning districts is provided in Table 1. For the complete detailed list of uses, refer to ULDR Section 47-6.12, List of Permitted and Conditional Uses, General Business (B-2) District and ULDR Section 47-37B.4, List of Permitted and Conditional Uses; Uptown Urban Village Southeast District (UUV-SE). A general comparison of current and proposed dimensional standards for each district is provided in Table 2. The applicant has submitted project narrative outlining how the rezoning complies with the applicable sections of the ULDR, attached as Exhibit 3.

Table 1: General Comparison of Zoning District Uses

EXISTING ZONING DISTRICT	PROPOSED ZONING DISTRICT
General Business (B-2) District	Uptown Urban Village Southeast (UUV-SE) District
<u>Permitted Uses:</u> Commercial Recreation Food and Beverage Service Lodging Offices (medical, dental, professional, etc.) Public Purpose Facilities Retail Sales Service/Office Facilities Storage Facilities	<u>Permitted Uses:</u> Commercial Recreation Food and Beverage Sales and Services Mixed Use Development Public Purpose Use Residential Retail Sales Service/Office Facilities
Accessory Uses, Buildings and Structures	Accessory Uses, Buildings and Structures
<u>Conditional uses:</u> Indoor Firearms Range Golf Course Social Service Residential Facility Food Distribution Center Medical Cannabis Dispensing Mixed-Use Development	<u>Conditional Uses:</u> Child Day Care Facilities Medical Cannabis Dispensing House of Worship Social Service Residential Facilities Helistop Self-Storage Facility

Table 2: General Comparison of Dimensional Standards*

	EXISTING ZONING DISTRICT	PROPOSED ZONING DISTRICT
	General Business (B-2) District	Uptown Urban Village Southeast (UUV-SE) District
DENSITY	N/A	50 units per acre Additional density permitted based on providing affordable housing units
BUILDING HEIGHT	150 feet, Note B: East of the Intracoastal Waterway, height for all districts is limited to one hundred twenty (120) feet.	75 feet, 150 feet (maximum) with conditional use approval
BUILDING LENGTH	N/A	300 feet (maximum), Maximum building length does not apply to portions of the building that extend past maximum setbacks for Primary and Secondary Streets
FLOOR AREA RATIO (FAR)	N/A	3.0
FRONT SETBACK	5 feet, Where the height of a building in a business zoning district exceeds nine feet measured from the ground floor elevation, that portion of the building may extend into the front yard area.	<u>Primary Streets:</u> 10 feet (minimum) 50 feet (maximum) <u>Secondary Streets:</u> 5 feet (minimum) 10 feet (maximum) <u>Tertiary Street:</u> 0 feet
REAR SETBACK	15 feet, When contiguous to residential property or None, all others	0 feet

SIDE SETBACK	10 feet, When contiguous to residential property or None, all others	0 feet
LOT SIZE	N/A	N/A
LANDSCAPE AREA	Open space: 1 tree/1,000 square feet of lot area. 20% shade trees. Vehicle us area landscape requirements in addition to all other landscape requirements.	Varies depending on total number of residential units 20% of vehicle use area

**Table is not inclusive of all dimensional standards due to complexity and specific requirements for the UUV-SE zoning district based on individual proposed site development projects.*

COMPREHENSIVE PLAN CONSISTENCY:

The City's Future Land Use Map indicates this property has a future land use designation of Commercial. More specifically, the Commercial land use designation is intended to allow for uses such as business, service office and other commercial enterprises. Development applications that propose mixed use projects will be subject to the applicable requirements as prescribed in the UUV-NE district. The project can also provide either a component of affordable housing or a payment in lieu of affordable housing. The proposed rezoning meets the intent of the land use designation.

There is an associated land use plan amendment for Uptown from Employment Center to Transit Oriented Development, and the proposed rezoning is consistent with the current land use designation as well as the proposed Transit Oriented Development land use designation. The land use plan amendment is anticipated to be completed by the beginning of 2025.

The proposed rezoning is consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 2, Objective 2.3, Encouraging mixed use development to enhance the livability of the City; Objective 2.3, Policy 2.3.8, Transform the Uptown area into an urban village that contains a mix of land uses with access to multi-modal options through the implementation of the Uptown Master Plan; and the Urban Design Element, Goal 1.1, Strengthen the urban form throughout the City by building upon the character and fabric of the built environment while allowing complementary new development through urban design criteria that supports exceptional sense of place.

PUBLIC PARTICIPATION

The proposed rezoning request is subject to the public participation requirements established in the ULDR, Section 47-27.4. This section states that public outreach should include any city-recognized civic association within 300 feet of the property. Since there are no city-recognized civic associations within 300 feet of the property, this portion has been met. However, the applicant did meet with surrounding property owners. A summary of the meeting with the property owners on July 13, 2023, is attached as Exhibit 4. In addition, there is a mail notification requirement to property owners within 300 feet of the property, which was completed and mailed on January 2, 2025.

This request is subject to public sign notification requirements established in ULDR, Section 47-27.4. Three signs were posted on the property fronting the three street frontages. The public sign notice affidavit and pictures of the signs are attached as Exhibit 5.

PLANNING & ZONING BOARD REVIEW OPTIONS:

The Planning and Zoning Board shall consider the application and make a determination based on the criteria in ULDR Section 47-24.4, Rezoning Criteria.

If the Planning and Zoning Board determines the application meets 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 criteria for the rezoning and if consented to by 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 ULDR Section 47-26.B, Appeals.

The applicant has submitted project narratives outlining how the rezoning complies with the applicable sections of the ULDR, attached as Exhibit 3, to assist the Board in determining if the proposal meets the criteria.

EXHIBITS:

1. Location Map
2. Property Owner Consent Form
3. Application, Criteria Response, and Sketch and Legal Description of the Property
4. Public Meeting Summary
5. Public Sign Notice Photographs and Affidavit