



REQUEST: Rezoning from Intense Manufacturing and Industrial (M-3, Broward County) District to Uptown Urban Village Southeast (UUV-SE) District

CASE NUMBER	UDP-Z24012	
APPLICANT	200 W Cypress Creek Holdings, LLC. /Stephanie J. Toothaker, Esq., P.A.	
AGENT	City of Fort Lauderdale	
GENERAL LOCATION	200 W Cypress Creek Road	
PROPERTY SIZE	133,678 square feet / 3.06 acres	
CURRENT ZONING	Intense Manufacturing and Industrial (M-3, Broward County) District	
PROPOSED ZONING	Uptown Urban Village Southeast (UUV-SE) District	
EXISTING USE	Office	
LAND USE	Employment Center	
PROPOSED LAND USE	Uptown Urban Village Transit Oriented Development	
COMMISSION DISTRICT	1 – John Herbst	
NEIGHBORHOOD ASSOCIATION	N/A	
APPLICABLE UNIFIED LAND DEVELOPMENT REGULATIONS (ULDR) SECTIONS	Section 47-24.4 Rezoning Criteria Section 47-25.2, Adequacy Requirements	
NOTIFICATION REQUIREMENTS	Section 47-27.5, Sign Notice 15 days prior to meeting Section 47-27.5, Mail Notice	
SECTION 166.033, FLORIDA STATUTES	180-DAY EXPIRATION DATE	EXTENSION DATE (S)
	April 22, 2025	N/A
ACTION REQUIRED	Recommend Approval, Recommend Rezoning to a More Restrictive Zoning District, or Deny	
PROJECT PLANNER	Michael P. Ferrera, Urban Planner II	<i>MPF</i>

PROJECT DESCRIPTION:

The applicant, Stephanie J. Toothaker, Esq., on behalf of the property owner 200 W Cypress Creek Holdings, LLC., is requesting to rezone 133,678 square feet (3.06 acres) of land located at 200 W Cypress Creek Road from Intense Manufacturing and Industrial (M-3, Broward County) District to Uptown Urban Village Southeast (UUV-SE) District to permit the development of a Private Club Facility. A development review application for the proposed project has not been submitted at this time; however, once an application has been received, it will be reviewed by the Development Review Committee (DRC) and if required, be presented to the Planning and Zoning Board (PZB) at a future date. 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. The five zoning districts were created based on location, planned land use patterns, design characteristics, redevelopment potential, and mobility needs. The five districts are listed below.

- 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 the 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. As an incentive it was determined that city staff will be able to 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 owners to rezone the subject properties.

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 M-3, County zoning and has an underlying land use designation of Industrial, which is intended to accommodate opportunities for the retention and expansion of economic activities associated with manufacturing, processing or assemble plants and their support enterprises for warehouse, storage, distribution, research and development. The proposed UUV-SE zoning district is consistent with this land use designation as well as the proposed land use amendment for Uptown. 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. 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 the expansion of warehouse and storage use in 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.
Rezoning the proposed property to the UUV-SE zoning district will permit the proposed use of Private Club Facility, as it is a permitted use in the UUV-SE zoning district. In addition, the proposed zoning district is compatible with the surrounding business districts that permit and have existing uses similar to that of the proposed use. Furthermore, the Uptown Master Plan encourages the proposed property to be rezoned to the UUV-SE zoning district. The proposed rezoning ensures the continued planned growth of the Uptown Urban Village identified in the Uptown Urban Village Master Plan.

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 Broward County Code Section 39-305 – Industrial Districts (M-3)) 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 a 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
Intense Manufacturing and Industrial (M-3, Broward County) District	Uptown Urban Village Southeast (UUV-SE) District
<u>Permitted Uses:</u> Acid and corrosives manufacturing or storage Automobile detailing or cleaning (other than car washes) Boarding or breeding kennel Boat Sales Concrete products manufacturing Electronics manufacturing and repair Employment agency day labor Machine Shop Medical waste transfer station Pest control service School, trade or vocational Veterinary clinic Warehouse, self-storage Warehouse, distribution	<u>Permitted Uses:</u> Billard Parlor Indoor Motion Picture Performing Arts Theater Bakery Store Cafeteria Restaurant Supermarket Mixed-Use Development Civic and Private Club Facility Fire Facility Library Antiques Store Bicycle Shop Book Store Department Store Furniture Store Parking Facility
Accessory Uses, Buildings and Structures	Accessory Uses, Buildings and Structures
<u>Conditional uses:</u> Outdoor Events	<u>Conditional Uses:</u> Amphitheater House of Worship Helistop Social Service Facility General-Level 4 Child Day Care Facilities, Small and Intermediate

Table 2: General Comparison of Dimensional Standards*

	EXISTING ZONING DISTRICT	PROPOSED ZONING DISTRICT
	Intense Manufacturing and Industrial (M-3, Broward County) 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	Varies, 2-10 stories	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 pass the maximum setbacks for Primary and Secondary Streets.
FLOOR AREA RATIO (FAR)	N/A	3.0
FRONT SETBACK	Varies, 10-100 feet, Note A	<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	Varies,10-100 feet, Note A	0 feet
SIDE SETBACK	Varies,10-100 feet, Note A	0 feet
LOT SIZE	10,000 square feet	None
LANDSCAPE AREA	<p>Minimum of 20% of front structure planted with shrubs at a minimum of 2 feet in height.</p> <p>Percent of Site in Nonvehicular Open Space (NOS) Less than 20%: 1 tree and 10 shrubs per 2,000 square feet 30-39%: 1 tree and 8 shrubs per 2,500 square feet 40-49%: 1 tree and 6 shrubs per 3,000 square feet 50% or more: 1 tree and 6 shrubs per 3,500 square feet</p> <p>Buffers Between residential and nonresidential properties. Varies, 10 feet to 25 feet, Note B.</p>	<p>Varies depending on total number of residential units 20% of vehicle use area</p>

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

Note A: If separated from residentially zoned plot or a commercial business zoned plot by a street, dedicated alley, canal, water area, railroad right-of-way or public open space shall be 30 feet

For the storage of any product, material or equipment, which is contiguous to a residentially zoned plot, shall be 100 feet, or which is contiguous to a commercial business, shall be 25 feet.

Note B: Separated by a street, alley, canal or public open space from residential, shall be at least 10 feet

Nonresidential use contiguous to residential, at least 10 feet. Industrial use contiguous to residential, at least 20 feet. Business, nonresidential or industrial contiguous to a park, minimum of 25 feet.

COMPREHENSIVE PLAN CONSISTENCY:

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.

The City's Future Land Use Map indicates this property has a future land use designation of Employment Center. More specifically, the Employment Center land use designation is intended to encourage employment-based development; however, it does allow for uses such as retail, restaurant uses, office, service and business as well as mixed-use development. As previously stated, it should be noted that the City is processing a land use amendment for Uptown from Employment Center to Transit Oriented Development, and the proposed rezoning would be consistent with the current land use designation as well as the proposed Transit Oriented Development land use designation. The proposed rezoning meets the intent of the land use designation.

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. According to the city's official civic

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association list and map, there are none within 300 feet and therefore, this requirement has been satisfied. However, there is a mail notification requirement to property owners within 300 feet of the property, which was completed and mailed on November 7, 2024.

In addition, this request is subject to public sign notification requirements established in ULDR, Section 47-27.4. Two signs were posted on the property fronting the two street frontages. The public sign notice affidavit and pictures of the signs are attached as **Exhibit 4**.

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 Sign Notice Photographs and Affidavit