

ORDINANCE NO. C-08-13

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM B-2 AND RML-25 TO PLANNED UNIT DEVELOPMENT (PUD) INCLUDING APPROVAL OF A DEVELOPMENT PLAN KNOWN AS SECURE STORAGE AT 84 AND ESTABLISHING THE DEVELOPMENT STANDARDS FOR THE PROPERTY INCLUDING BUT NOT LIMITED TO USES, HEIGHT, YARD, SETBACK, PARKING, OPEN SPACE AND LANDSCAPING; LOCATED AT THE NORTHEAST INTERSECTION OF INTERSTATE 95 AND STATE ROAD 84, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

WHEREAS, in accordance with Section 47-37 of the Unified Land development Regulations ("ULDR"), rezoning to a PUD zoning district requires the approval of a development plan which meets the criteria provided in Section 47-37; and

WHEREAS, applicant, Marina Mile Properties, LLC, has submitted a development plan known as Secure Storage at 84 as part of the rezoning application to develop a mixed use development on the property to be rezoned as described in this ordinance; and

WHEREAS, the Planning and Zoning Board at its meeting of January 16, 2008 (PZ Case No. 2-ZPUD-07) did recommend to the City Commission that the rezoning application be approved and that the lands herein described should be rezoned from B-2 and RML-25 to PUD based on the development plan as reviewed and approved as described herein and that the Official Zoning Map and Schedule "A" attached thereto should be amended to include such lands; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, March 4, 2008, at 6:00 o'clock P.M., in the City Commission Room, City Hall, Fort Lauderdale, Florida, for the purpose of hearing any objections which might be made to such rezoning; and

WHEREAS, such public hearing was duly held at the time and place designated after notice of same was given by publication as required by law, and the Commission determined that there were no persuasive objections to so amending the zoning regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the Unified Land Development Regulations ("ULDR") of the City of Fort Lauderdale together with the Official Zoning Map of the City of Fort Lauderdale and revised Schedule "A", describing the lands lying within each Zoning District, as approved on June 18, 1997, and described in Section 47-1.6 of the ULDR, be amended by rezoning in the respects mentioned, the following lands, situate in the City of Fort Lauderdale, Broward County, Florida, to wit:

TO REZONE FROM "B-2" AND "RML-25" TO "PUD":

See Exhibit "A", attached hereto
and made a part hereof

Location: Northeast intersection of Interstate 95 and State
Road 84, between State Road 84 and Plat of
Osceola Park Apartments,

subject to the Approved Development Plan, as hereinafter defined, which is approved as part of this rezoning and subject to the regulations and conditions of Section 3 of this Ordinance.

SECTION 2. For the purpose of this Ordinance the following words, terms and phrases shall have the meanings ascribed to them, except where the context clearly indicates a different meaning.

Approved Development Plan. The Approved Development Plan consists of the following:

- (a) The Site Development Plan for Secure Storage at 84, located at the northeast intersection of Interstate 95 and State Road 84, between State Road 84 and the Plat of Osceola Park Apartments, Fort Lauderdale, Florida executed by the department director evidencing that the Site Development Plan is the most recently revised to meet the conditions as provided herein as approved by the City's Development Review Committee, such Site Development Plan consisting of _____ pages ("Site Plan"), a copy of which is attached hereto as Exhibit "B" and the narrative for Secure Storage at 84, attached hereto as Exhibit "C";

- (b) This ordinance and the conditions established by this ordinance as approved by the City Commission;
- (c) Any conditions of development of the Property approved by the City Commission and as contained in this Ordinance.

Department and Director shall have the same meanings as provided in Section 47-35 of the ULDR.

Developer shall mean Marina Mile Properties, LLC, its successors or assigns.

Property shall mean the land described in this Ordinance.

Project shall mean the plan of development depicted on and described by the Approved Development Plan.

SECTION 3. The Planned Unit Development District (“PUD”) as applicable to the Property is a zoning district with regulations regarding the development of the Property within the PUD District described as follows:

A. Uses.

- 1. Self storage with individual storage units which exceed the floor area restrictions provided in Section 47-35 of the ULDR but do not exceed the floor area restrictions shown on the Approved Development Plan. No maintenance or repair work or other business uses shall be permitted.
- 2. Amenities as depicted and described on the Approved Development Plan.

No other uses, principal or accessory, shall be permitted except as approved as an amendment to this ordinance including the Approved Development Plan.

- B. Buildings and Structures.** Only those buildings and structures depicted or described on the Approved Development Plan shall be permitted and are only permitted if constructed in accordance with the Approved Development Plan.

- C. Development Regulations. The lot size, density, height, yards, setbacks, bulk, shadow, mass, landscaping, parking, open space, design, bufferyards and all other development requirements for the PUD District described herein are and shall be as described in and depicted on the Approved Development Plan.
- D. The Developer, its contractors and subcontractors and all laborers working on the Property shall adhere to the construction practices attached hereto as Exhibit "D". The name and telephone number of the person designated to be contacted during construction of the project shall be posted at the entrance to the Property and shall be provided to the owners of property adjacent to the Property.
- E. The PUD District created by this ordinance shall not be subject to variance or special exception or interpretation as provided by the ULDR and may only be modified as provided in Section 47-37 of the ULDR.
- F. This Ordinance shall be recorded in the Public Records of Broward County, Florida at Applicant's expense.

SECTION 4. The Approved Development Plan is hereby approved and made a part of this Ordinance as if fully set out herein.

SECTION 5. All provisions of Section 47-37 of the ULDR shall apply to this PUD District, including but not limited to, regulations regarding amendments of the PUD District and Expiration and Extension of the Site Plan.

SECTION 6. If there is a conflict between any of the documents comprising the Approved Development Plan, the more restrictive interpretation by the City's Zoning Administrator shall govern the development of the Property.

SECTION 7. That the appropriate City officials of the City of Fort Lauderdale shall indicate such zoning upon a copy of the Official Zoning Map, and shall indicate an amendment of Schedule "A" accordingly, upon the records with proper reference to this ordinance and date of passage.

SECTION 8. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 9. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 10. That this Ordinance shall be in full force and effect on the date it is recorded in the Public Records of Broward County, Florida.

PASSED FIRST READING this the 11th day of March, 2008.

PASSED SECOND READING this the _____ day of _____, 2008.

Mayor
JIM NAUGLE

ATTEST:

City Clerk
JONDA K. JOSEPH

L:\COMM2008\Ords\Apr 1\2zPUD07.wpd

**Exhibits are provided as part of
Commission Agenda Report 08-0461**

Ordinance No. C-08-13

Larger copies of the Exhibits to Ordinance No. C-08-13 adopted on _____, 2008 are on file and may be viewed at the City of Fort Lauderdale. Please see the City Clerk for location of development plans.

LAND DESCRIPTION

B-2 ZONING

A PORTION OF TRACTS 3 AND 4, F.A. BARRETT'S SUBDIVISION, OF THE WEST ½ (HALF) OF SECTION 21, TOWNSHIP 50 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 46 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING NORTH OF STATE ROAD 84 AND LYING EAST OF THE EAST RIGHT-OF-WAY OF STATE ROAD 9, ALSO KNOWN AS INTERSTATE HIGHWAY 95, AND LYING WEST OF THE OSCEOLA CANAL. SUBJECT TO EFFECTS OF FINAL JUDGMENT IN EMINENT DOMAIN PROCEEDINGS BY S.R.D. OF FLORIDA RE LIMITED ACCESS RIGHTS ONLY, DATED APRIL 23, 1970 (FILED APRIL 24, 1970 IN MINUTES OF THE CIRCUIT COURT 191, PAGE 983 (#67-7542), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 16, TOWNSHIP 50 SOUTH, RANGE 42 EAST;

THENCE SOUTH 87°22'20" WEST ALONG THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 461.88 FEET TO THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (INTERSTATE HIGHWAY I-95);

THENCE SOUTH 03°49'15" EAST ALONG SAID RIGHT-OF-WAY, 879.54 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 88°48'36" EAST, 224.25 FEET, SAID POINT LYING ON A **SURVEY TIE LINE**;

THENCE THE FOLLOWING 4 COURSES AND DISTANCES ALONG SAID **SURVEY TIE LINE** FOLLOWING THE APPROXIMATE TOP OF BANK AND THE WEST EDGE OF A 1.3 FOOT BULKHEAD ALONG SAID OSCEOLA CANAL:

1.) SOUTH 44°14'38" WEST, 2.46 FEET;

2.) SOUTH 06°34'50" WEST, 13.08 FEET;

3.) SOUTH 30°31'52" WEST, 151.88 FEET;

4.) SOUTH 13°46'47" WEST, 62.87 FEET;

5.) SOUTH 16°06'47" EAST, 41.25 FEET, SAID POINT LYING ON THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 84;

THENCE SOUTH 74°05'09" WEST ALONG SAID RIGHT-OF-WAY LINE, 126.70 FEET, SAID POINT LYING ON THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (INTERSTATE HIGHWAY 95);

THENCE NORTH 03°49'15" WEST ALONG SAID RIGHT-OF-WAY LINE, 276.97 FEET TO THE **POINT OF BEGINNING**;

SHEET 1 OF 3 SHEETS

Exhibit "A"
Page 1 of 6

Exhibit 4
14-1302
Page 8 of 13

SAID LANDS LYING IN BROWARD COUNTY, FLORIDA, CONTAINING A CALCULATED AREA
OF 40,482 SQUARE FEET (0.93 ACRES), MORE OR LESS.

Land Description Prepared By:
SHAH, DRTOS & ASSOCIATES
3410 N. Andrews Ave. Ext.
Pompano Beach, Florida 33064
Prepared By: RD
Checked By: MDR
Project No.: 00-0594A
File : X/CAD/SURV/0594A00/LEGALS/0594B-2.WPD
Date: 02-25-05

SHEET 2 OF 3 SHEETS

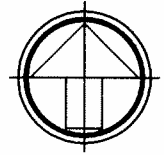
Exhibit "A"
Page 2 of 6

Exhibit 4
14-1302
Page 9 of 13

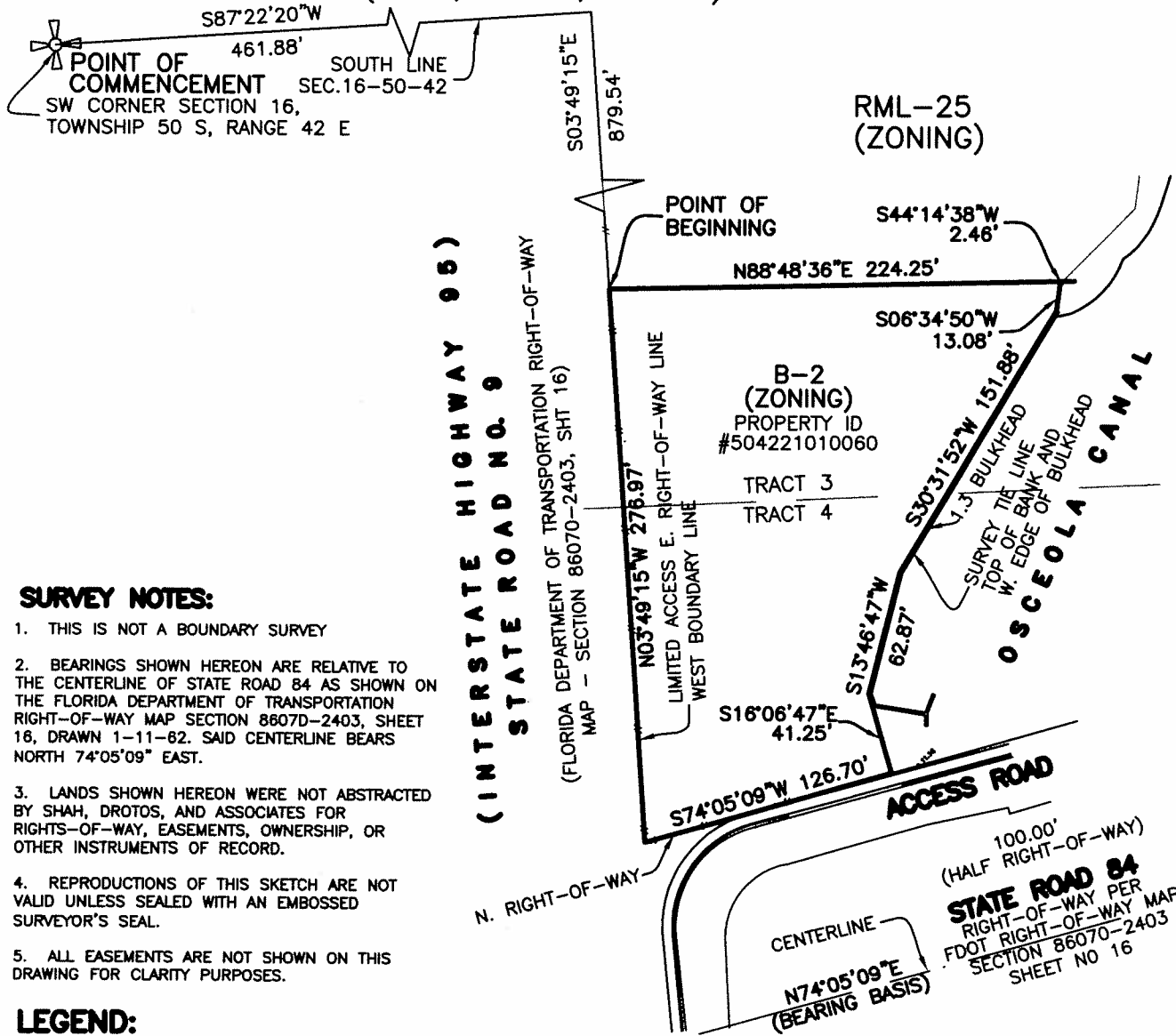
SKETCH OF DESCRIPTION

B-2 ZONING

A PORTION OF TRACTS 3 AND 4
F.A. BARRETT'S SUBDIVISION
(PB 1, PG 46, M-DCR)



SCALE: 1"=80'



SURVEY NOTES:

1. THIS IS NOT A BOUNDARY SURVEY
2. BEARINGS SHOWN HEREON ARE RELATIVE TO THE CENTERLINE OF STATE ROAD 84 AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 8607D-2403, SHEET 16, DRAWN 1-11-82. SAID CENTERLINE BEARS NORTH 74°05'09" EAST.
3. LANDS SHOWN HEREON WERE NOT ABSTRACTED BY SHAH, DROTOS, AND ASSOCIATES FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
4. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
5. ALL EASEMENTS ARE NOT SHOWN ON THIS DRAWING FOR CLARITY PURPOSES.

LEGEND:

- AKA = ALSO KNOWN AS
- PGS = PAGES
- PB = PLAT BOOK
- M-DCR = MIAMI-DADE COUNTY RECORDS
- ORB = OFFICIAL RECORDED BOOK

FOR THE FIRM, BY:

SHEET 3 OF 3 SHEETS

MICHAEL D. ROSE
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 3998

PROJECT NO: 00-0594

FILE:X\CAD\SURVEY\0594A00\B-2 ZONE\0549B-2.DWG

SKETCH OF DESCRIPTION	RD	02/25/05		MDR
REVISIONS	DWN	DATE	FB/PG	CHKD

SDA SHAH & ASSOCIATES
DROTOS

ENGINEERING
SURVEYING
PLANNING

CERTIFICATE OF AUTHORIZATION NO. LB 6456
3410 North Andrews Avenue Ext. • Pompano Beach, FL 33064
PH: 954-943-9433 • FAX: 954-783-4754

LAND DESCRIPTION

RML-25 ZONING

A PORTION OF TRACTS 2 AND 3, F.A. BARRETT'S SUBDIVISION , OF THE WEST ½ (HALF) OF SECTION 21, TOWNSHIP 50 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 46 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF STATE ROAD 9, ALSO KNOWN AS INTERSTATE HIGHWAY 95 AND LYING WEST OF THE THE OSCEOLA CANAL. SUBJECT TO EFFECTS OF FINAL JUDGMENT IN EMINENT DOMAIN PROCEEDINGS BY S.R.D. OF FLORIDA RE LIMITED ACCESS RIGHTS ONLY, DATED APRIL 23, 1970 (FILED APRIL 24, 1970 IN MINUTES OF THE CIRCUIT COURT 191, PAGE 983 (#67-7542), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 16, TOWNSHIP 50 SOUTH, RANGE 42 EAST;

THENCE SOUTH 87°22'20" WEST ALONG THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 461.88 FEET TO THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (INTERSTATE HIGHWAY I-95);

THENCE SOUTH 03°49'15" EAST ALONG SAID RIGHT-OF-WAY, 328.80 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 87°20'08" EAST ALONG THE NORTH LINE OF SAID TRACT 2 OF SAID PLAT AND THE SOUTH LINE OF PARCEL "B", OSCEOLA PARK APARTMENTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 127, PAGE 33 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, 202.39 FEET, TO A POINT ON A **SURVEY TIE LINE**;

THENCE THE FOLLOWING 8 COURSES AND DISTANCES ALONG SAID **SURVEY TIE LINE** FOLLOWING THE APPROXIMATE TOP OF BANK OF SAID OSCEOLA CANAL:

- 1.) SOUTH 15°25'40" EAST, 113.84 FEET;
- 2.) SOUTH 29°51'28" EAST, 108.84 FEET;
- 3.) SOUTH 30°51'45" EAST, 57.42 FEET;
- 4.) SOUTH 07°07'04" EAST, 134.52 FEET;
- 5.) SOUTH 10°39'14" WEST, 23.08 FEET;
- 6.) SOUTH 21°31'18" WEST, 72.71 FEET;
- 7.) SOUTH 07°20'05" WEST, 40.70 FEET;
- 8.) SOUTH 43°51'32" WEST, 51.20 FEET;

SHEET 1 OF 3 SHEETS

Exhibit "A"
Page 4 of 6

THENCE SOUTH 88°48'36" WEST, 224.25 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 9 (INTERSTATE HIGHWAY 95);

THENCE NORTH 03°49'15" WEST ALONG SAID RIGHT-OF-WAY LINE, 550.74 FEET TO THE **POINT OF BEGINNING**;

SAID LANDS LYING IN BROWARD COUNTY, FLORIDA, CONTAINING A CALCULATED AREA OF 147,287 SQUARE FEET (3.38 ACRES), MORE OR LESS.

Land Description Prepared By:

SHAH, DRTOS & ASSOCIATES

3410 N. Andrews Ave. Ext.

Pompano Beach, Florida 33064

Prepared By: RD

Checked By: MDR

Project No.: 00-0594A

File : X/CAD/SURV/0594A00/LEGALS/0594RML-25.WPD

Date: 02-25-05

SHEET 2 OF 3 SHEETS

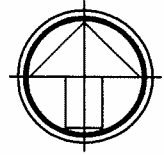
Exhibit "A"

Page 5 of 6

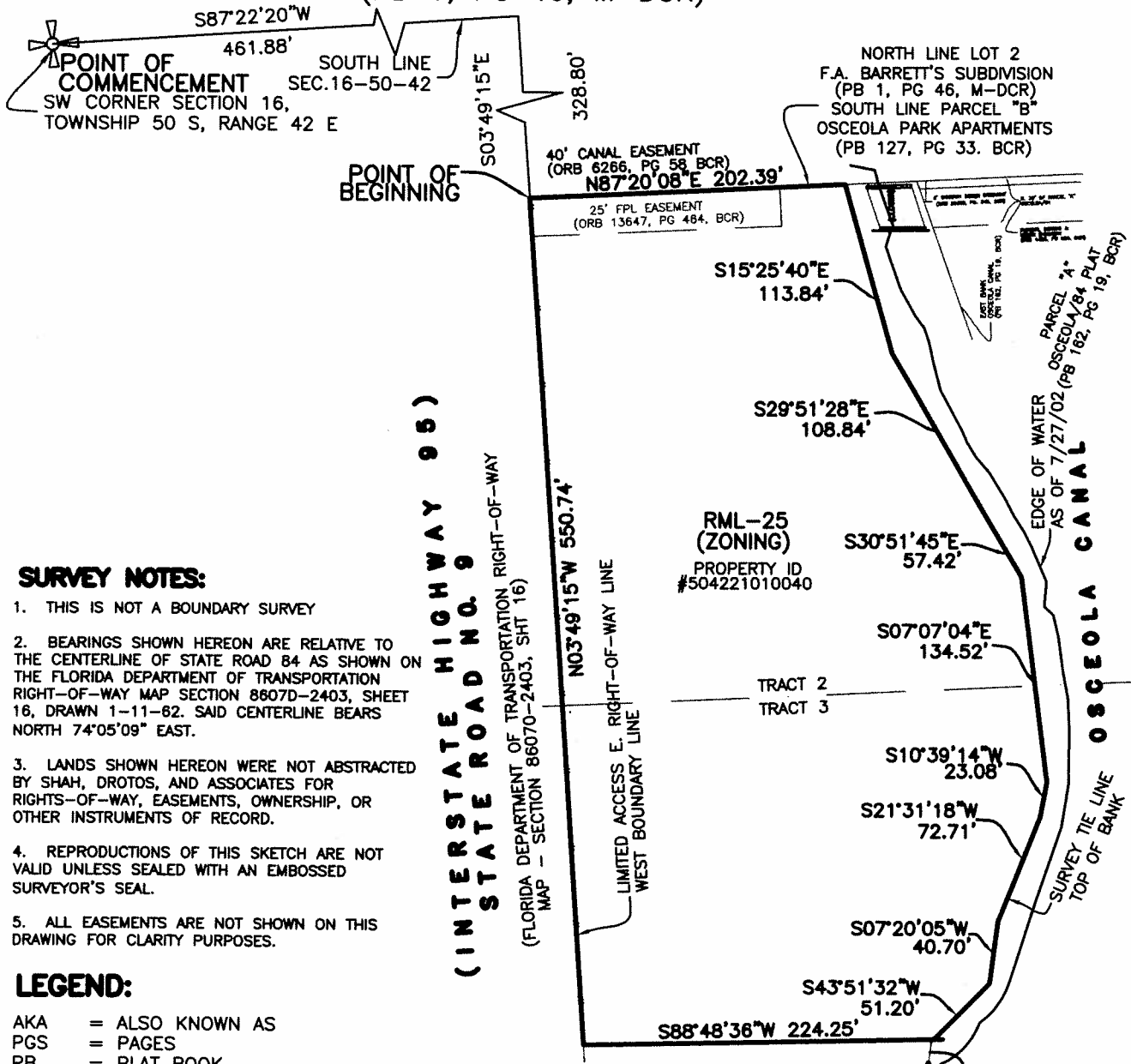
Exhibit 4
14-1302
Page 12 of 13

SKETCH OF DESCRIPTION

RML-25 ZONING
 A PORTION OF TRACTS 2 AND 3
 F.A. BARRETT'S SUBDIVISION
 (PB 1, PG 46, M-DCR)



SCALE: 1"=100'



SURVEY NOTES:

1. THIS IS NOT A BOUNDARY SURVEY
2. BEARINGS SHOWN HEREON ARE RELATIVE TO THE CENTERLINE OF STATE ROAD 84 AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 8607D-2403, SHEET 16, DRAWN 1-11-82. SAID CENTERLINE BEARS NORTH 74°05'09" EAST.
3. LANDS SHOWN HEREON WERE NOT ABSTRACTED BY SHAH, DROTOS, AND ASSOCIATES FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
4. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
5. ALL EASEMENTS ARE NOT SHOWN ON THIS DRAWING FOR CLARITY PURPOSES.

LEGEND:

- AKA = ALSO KNOWN AS
- PGS = PAGES
- PB = PLAT BOOK
- M-DCR = MIAMI-DADE COUNTY RECORDS
- ORB = OFFICIAL RECORDED BOOK

B-2 ZONING

FOR THE FIRM, BY:

PROJECT NO: 00-0594
 FILE: X\CAD\SURVEY\0594A00\RML-25_ZONE\0549RML.DWG

SHEET 3 OF 3 SHEETS

MICHAEL D. ROSE
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA REGISTRATION NO. 3998

SKETCH OF DESCRIPTION	RD	02/25/05		MDR
REVISIONS	DWN	DATE	FB/PG	CHKD

SDA SHAH DROTOS & ASSOCIATES

ENGINEERING
 SURVEYING
 PLANNING

CERTIFICATE OF AUTHORIZATION NO. LB 6456
 3410 North Andrews Avenue Ext. • Pompano Beach, Fl. 33064
 PH: 954-943-9433 • FAX: 954-783-4754