

ORDINANCE NO. C-21-16

AN ORDINANCE AMENDING SECTION 47-1.6.B OF THE CITY OF FORT LAUDERDALE, FLORIDA UNIFIED LAND DEVELOPMENT REGULATIONS THROUGH THE REVISION OF THE OFFICIAL ZONING MAP OF CITY OF FORT LAUDERDALE AND SCHEDULE "A" REVISED COMPILATION ATTACHED THERETO AND BY REFERENCE MADE A PART THEREOF, SO AS TO REZONE FROM "X-P – EXCLUSIVE USE PARKING LOT" DISTRICT TO "CB – COMMUNITY BUSINESS" DISTRICT, THROUGH THE ALLOCATION OF COMMERCIAL FLEXIBILITY, LOT 1 AND THE EAST HALF OF LOT 2, BLOCK 14, "COLEE HAMMOCK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 17 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF SOUTHEAST 10TH TERRACE, NORTH OF EAST LAS OLAS BOULEVARD, EAST OF SOUTHEAST 9TH AVENUE AND SOUTH OF SOUTHEAST 2ND COURT, ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicants, 800 Las Olas, LLC and Mustang Properties, Inc., applied for the rezoning of certain property as more particularly described in Exhibit "A" attached hereto and incorporated herein ("subject property"); and

WHEREAS, the subject property is designated "Medium-High 25", a residential land use designation on the City of Fort Lauderdale Future Land Use Map; and

WHEREAS, in accordance with the City of Fort Lauderdale, Florida Unified Land Development Regulations ("ULDR"), the City may allocate commercial flexibility on residential land use designated parcels subject to the rezoning to a Commercial Business ("CB") District, and approval of a site plan which meets the criteria provided in the ULDR; and

WHEREAS, the site plan submitted as part of the rezoning application proposes the redevelopment of several parcels of land located at 1007 East Las Olas Boulevard to construct a 120,427 square-foot hotel with 5,698 square feet of ground-level retail space and underground parking; and

WHEREAS, on February 17, 2021, the Planning and Zoning Board (PZ Case No. PLN-SITE-20080001), recommended to the City Commission of the City of Fort Lauderdale ("City Commission") that certain lands herein described should be rezoned in the respects

mentioned 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, May 4, 2021, at 6:00 P.M., and Tuesday, May 18, 2021, at 6:00 P.M., in the City Commission Room, City Hall, Fort Lauderdale, Florida, for the purpose of hearing any public comment to such rezoning; and

WHEREAS, such public hearings were duly held at the time and place designated after notice of same was given by publication as required by law, and the City Commission determined that the requested rezoning met the criteria for amending the zoning regulations;

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

SECTION 1. The City Commission finds that the application for rezoning meets the criteria of Section 47-24.4 of the ULDR as enunciated and memorialized in the minutes of its meetings of May 4, 2021, and May 18, 2021, a portion of those findings expressly listed as follows:

1. The underlying land use is Medium-High Residential-25. The proposed CB zoning is consistent with the underlying land use through the allocation of commercial flex acreage.
2. The proposed rezoning is consistent with the character of development on the East Las Olas Boulevard corridor which includes commercial uses such as restaurants, retail, and hotels. The character of development of properties to the north includes predominantly single-family and multi-family residential properties. The general intensity of the surrounding area ranges from medium to high residential on the north side of SE 2nd Court and directly to the east and west of the subject parcels which is zoned Residential Multifamily Mid Rise (RMM-25). Intensity along both sides of East Las Olas Boulevard is commercial. The proposed project is similar to existing commercial uses along the East Las Olas Boulevard corridor. The proposed rezoning will extend the CB zoning approximately 120 feet north of the existing B-1 zoning line and will support the redevelopment of the site with a viable hotel use, appropriate for the Las Olas corridor, an established commercial and tourist area. Use of CB zoning between the B-1 zoning along East Las Olas Boulevard to the South and the RMM-25 zoning to the north creates a transitional area. This transitional area provides for

proposed uses that are less intense than those along the commercial corridor in order to transition into the adjacent residential neighborhood.

3. The proposed CB zoning will permit a use suitable and similar to those uses existing in the area. The properties to the south are zoned B-1 and contain existing residential development and commercial uses. Properties to the west and east are zoned X-P and contain surface parking lots. Properties to the north are zoned RMM-25 with a range of residential density from single family lots to multifamily development. The proposed rezoning is compatible with surrounding districts and uses.

SECTION 2. That the City of Fort Lauderdale ULDR 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 from "X-P – Exclusive Use Parking Lot" District To "CB – Community Business" District, through the allocation of commercial flexibility, the following lands, situated in the City of Fort Lauderdale, Broward County, Florida, to wit:

LOT 1 AND THE EAST HALF OF LOT 2, BLOCK 14, "COLEE HAMMOCK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 17 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

Location: West of Southeast 10th Terrace, north of East Las Olas Boulevard, east of Southeast 9th Avenue and south of Southeast 2nd Court

More specifically described in Exhibit "A" attached hereto and made a part hereof.

SECTION 3. 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 4. That in accordance with Section 47-28.1.G. – Allocation of commercial use on residential land use designated parcels of the ULDR, the site plan included as part of Exhibit 4 to Commission Agenda Memorandum No. 21-0503 is hereby approved.

SECTION 5. 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 6. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 7. That this Ordinance shall be in full force and effect ten (10) days from the date of final passage.

PASSED FIRST READING this 4th day of May, 2021.

PASSED SECOND READING this ____ day of _____, 2021.

Mayor
DEAN J. TRANTALIS

ATTEST:

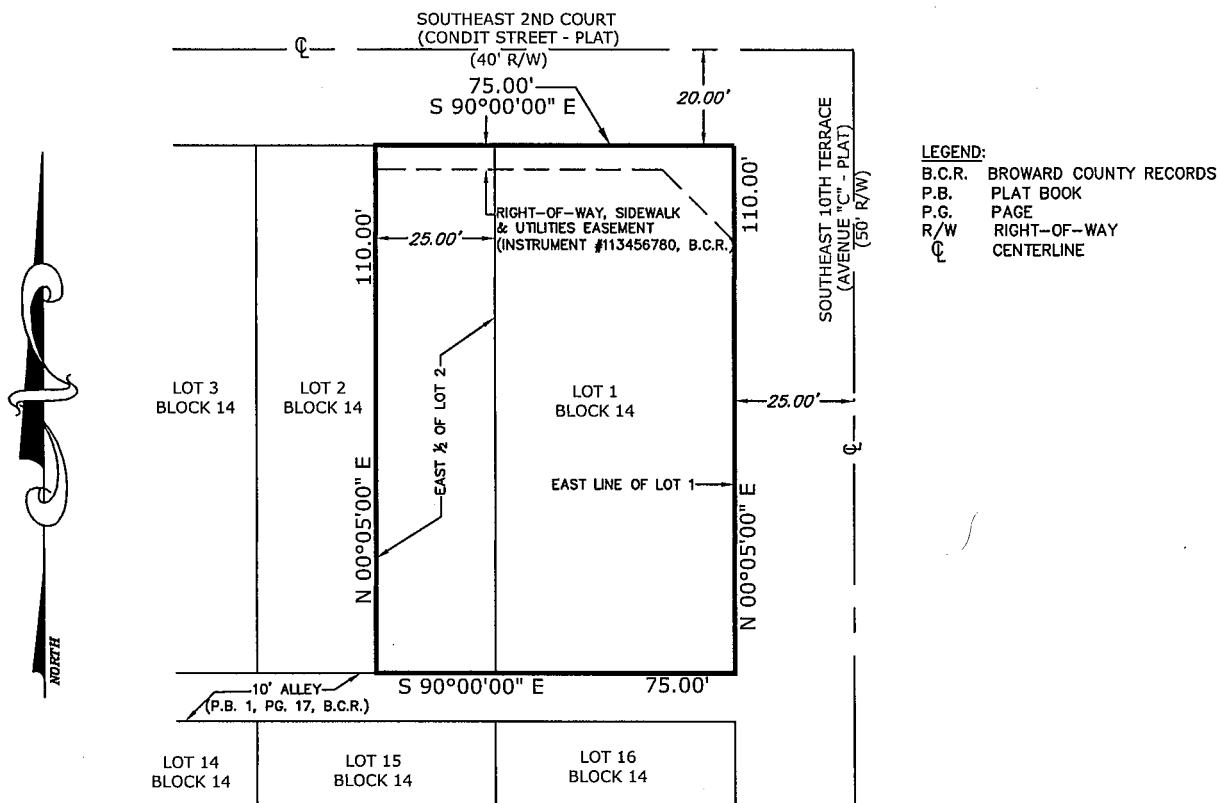
City Clerk
JEFFREY A. MODARELLI

To accompany Rezoning from "X-P" to "CB"

LEGAL DESCRIPTION:

Lot 1 and the East one-half (E ½) of Lot 2, Block 14, COLEE HAMMOCK, according to the Plat thereof, as recorded in Plat Book 1, Page 17 of the Public Records of Broward County, Florida.

Said lands situate lying and being in the City of Fort Lauderdale, Broward County, Florida. Containing 8,250 square feet more or less.



NOTES:

- 1) Bearings shown hereon are based on the East line of Lot 1, Block 14 with an assumed bearing North 00°05'00" East.
- 2) This Sketch and Description is not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.
- 3) ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD, RECORDED AND VISIBLE AFFECTING THE HEREON DESCRIBED PROPERTY ARE SHOWN PER THE COMMITMENT FOR TITLE INSURANCE, FILE NO. 2037-3580935, EFFECTIVE DATE JUNE 17, 2016 AT 8:00 AM. AND PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY AND THE PLAT OF COLEE HAMMOCK, AS RECORDED IN PLAT BOOK 1, PAGE 17, AS RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

THIS IS NOT A SKETCH OF SURVEY

SHEET 1 OF 1

REVISIONS	DATE	BY	CKD	
ADDRESS COMMENTS	11/09/20	RM	TD	

*LOT 1 & E 1/2
OF LOT 2
BLOCK 14*

THEODORE J. DAVID FOR THE FIRM
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 5821
DAVID & GERCHAR, INC. LB#6935

SCALE: 1" = 40'	JOB NO: 16-022 LUPA
FB/PG: N/A	CAD. FILE: F:\dwgs\ 16-jobs\16-022\16- 022 WEST SURVEY.dwg
DRAWN BY: RRM	DATE: 8/3/2020
CKD. BY: TD	PROJ. FILE: 16-022

**DAVID &
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