



**REQUEST:** Rezoning from Broward County General Commercial Business District (B-2), Broward County Planned Business Center (B-2A) District and Broward County Office Park (OP) District to City Commerce Center (CC) District.

|  |   |                                |
|--|---|--------------------------------|
| <b>CASE NUMBER</b>                           | UDP-Z23005  |                                |
| <b>APPLICANT</b>                             | RCC I Inc., RCC II Inc., and RCC III Inc  |                                |
| <b>AGENT</b>                                 | Andrew Schein, Esq., Lochrie & Chakas, P.A.   |                                |
| <b>GENERAL LOCATION</b>                      | 600, 800, and 1000 Corporate Drive  |                                |
| <b>EXISTING ZONING</b>                       | Broward County General Commercial Business District (B-2), Broward County Planned Business Center (B-2A) District and Broward County Office Park (OP) |                                |
| <b>PROPOSED ZONING</b>                       | Commerce Center (CC) District   |                                |
| <b>LAND USE</b>                              | Commercial and Office Park  |                                |
| <b>COMMISSION DISTRICT</b>                   | District 1 – Commissioner John Herbst   |                                |
| <b>NEIGHBORHOOD ASSOCIATION</b>              | N/A   |                                |
| <b>LOT SIZE</b>                              | 18.36 Acres   |                                |
| <b>APPLICABLE ULDR SECTIONS</b>              | 47-24.4., Rezoning<br>47-25.2., Adequacy Requirements   |                                |
| <b>NOTIFICATION REQUIREMENTS</b>             | Sec. 47-24.1 Public Participation<br>Sec. 47-27.5 Sign Notice 15 days prior to meeting<br>Sec. 47-27.5 Mail Notice 10 days prior to meeting           |                                |
| <b>SECTION 166.033,<br/>FLORIDA STATUTES</b> | <b>180-day Expiration Date</b>  | <b>180-day Expiration Date</b> |
|  | December 22, 2024   | February 20, 2024              |
| <b>ACTION REQUIRED</b>                       | Recommend Approval, recommend a Rezoning to a More Restrictive Zoning District, or Deny   |                                |
| <b>PROJECT PLANNER</b>                       | Nancy Garcia, Urban Planner II <span style="float: right;">JH NMG</span>  |                                |

**PROJECT DESCRIPTION:**

The applicant, RCC I Inc., RCC II Inc., and RCC III Inc, is requesting to rezone an 18.36-acre parcel of land located at 600, 800, and 1000 Corporate Drive from Broward County General Commercial Business District (B-2), Broward County Planned Business Center (B-2A) District and Broward County Office Park (OP) District to City's zoning Commerce Center (CC) District. The properties are a portion of a commerce office park, known as the Radice Corporate Center. Each property address is developed with an office building, totaling three buildings with associated surface parking areas. There are no future improvements proposed at this time.

The property's future land use designations are Commercial and Office Park, which are consistent with the proposed zoning designation of CC. The Location Map and Zoning District Map are attached as **Exhibit 1.**, The Sketch and Legal Description are included as **Exhibit 2.** The Application and Applicant's Narrative are included as **Exhibit 3.**

**BACKGROUND:**

The subject property was annexed into the City on April 14, 1995, pursuant to Ordinance No. C-95-6. Florida Statutes Section 171.062 (2) states "If the area annexed was subject to a county land use plan and county zoning or subdivision regulations, these regulations remain in full force and effect until the municipality adopts a comprehensive plan amendment that includes the annexed area." Upon annexation, the City adopted a Comprehensive Land Use Plan amendment on July 18, 1995, incorporating the subject property into the City's Future Land Use Map. A rezoning of these properties was not completed subsequent to the land use amendment. Furthermore,

Section 47-1.3 of the Unified Land Development Regulations (ULDR) provides "If because of error or omission in the zoning map, any property in the city is not shown as being in a zoning district, the zoning district for such property shall be RS-8 until the property is rezoned.", which has led to confusion regarding the applicable regulations for the subject property. This rezoning would establish consistency and conformity with the City's ULDR.

**REVIEW CRITERIA:**

Pursuant to the City's 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 proposed Commerce Center (CC) District is consistent with the Commercial and Office Park future land use designations for the properties. The Commercial and Office Park future land use designations are intended primarily for business, retail, service, office and other commercial enterprises, and planned office complexes and corporate headquarters, respectively. 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 character of development in or near the area supports the rezoning. The Radice Corporate Center includes the subject property, the Westin hotel and two parcels that are classified as a canal and environmentally sensitive land, respectively(not to be developed). The CC District is intended to provide locations suitable for planned corporate and business park development geared to employment generating uses such as light industrial; research and development; corporate offices; conference center; and complementary business retail and service uses. The CC district also encourages large, unified developments within an aesthetically pleasing environment with controlled vehicular access and internal traffic flow. If approved, the rezoning will be consistent with the character of development in the area, which is commercial and office park.

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 proposed rezoning will ensure the zoning district is compatible with the existing uses surrounding the area, which is primarily office uses. The applicant has indicated no future improvements are proposed for the subject property at this time. Moving forward with the rezoning will ensure the existing uses will be consistent with the current land use which is commercial and office park. The proposed CC District is suitable for the character of the area, given that the existing uses and vehicular network of the commerce park meet the intent of the CC zoning district.

A general comparison of permitted uses in the current and proposed zoning district is provided in Table 1. For the complete detailed list of uses, refer to ULDR Section 47-10.10, List of Permitted and Conditional Uses; Commerce Center (CC) and Broward County Code Section 39.295, Permitted Uses; General Commercial Business District (B-2), Planned Business Center (B-2A) District and Office Park (OP) District. A comparison of current and proposed dimensional standards for each district is provided in Table 1.

**Table 1 – Comparison of Zoning District Uses**

| Existing Zoning Districts<br>(Broward County Zoning)  |   |  | Proposed Zoning District<br>(City Zoning)   |
|---|---|--|---|
| B-2<br>(General Commercial Business)  | B-2A<br>(Planned Business Center)   | OP<br>(Office Park)  | CC<br>(Commerce Center District)  |
| <p><b>Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>• Amusement Center</li> <li>• Appliance Store</li> <li>• Amusement Park</li> <li>• Automobile, truck and recreational vehicle accessories</li> <li>• Bank or financial institution</li> <li>• Bar Lounge, tavern</li> <li>• Barber shop, beauty salon, nail salon</li> <li>• Bakery, retail</li> <li>• Billiard center or pool hall</li> <li>• Bingo hall</li> <li>• Bookstore, newsstand</li> <li>• Bowling Center</li> <li>• Bus Terminal</li> <li>• Car wash, self service or automated</li> <li>• Child care center, pre-school or adult day care</li> <li>• Clothing store</li> <li>• Coin laundry</li> <li>• Convenience store</li> <li>• Courier service</li> <li>• Delicatessen</li> <li>• Department store</li> <li>• Dry cleaning or laundry drop-off and pick-up</li> <li>• Dinner theater</li> <li>• Electronic sales or repair</li> </ul> | <p><b>Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>• Amusement Center</li> <li>• Appliance Store</li> <li>• Amusement Park</li> <li>• Automobile, truck and recreational vehicle accessories</li> <li>• Bank or financial institution</li> <li>• Bar Lounge, tavern</li> <li>• Barber shop, beauty salon, nail salon</li> <li>• Bakery, retail</li> <li>• Billiard center or pool hall</li> <li>• Bingo hall</li> <li>• Bookstore, newsstand</li> <li>• Bowling Center</li> <li>• Bus Terminal</li> <li>• Car wash, self service or automated</li> <li>• Child care center, pre-school or adult day care</li> <li>• Clothing store</li> <li>• Coin laundry</li> <li>• Convenience store</li> <li>• Courier service</li> <li>• Delicatessen</li> <li>• Department store</li> <li>• Dry cleaning or laundry drop-off and pick-up</li> <li>• Dinner theater</li> <li>• Electronic sales or repair</li> </ul> | <p><b>Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>• Offices for business, professional and administrative uses</li> <li>• Bank or Financial Institution</li> <li>• Laboratories for scientific, educational and industrial research and development</li> <li>• Medical and dental laboratories; hospitals and clinics</li> <li>• Community facilities, limited to fire stations, post offices, libraries, courts and government administrative offices.</li> <li>• Office and studio facilities for radio and television, except for broadcasting towers.</li> <li>• Public and private colleges and universities</li> </ul> <p><b>Conditional uses:</b></p> <ul style="list-style-type: none"> <li>• Mobile food unit</li> </ul> | <p><b>Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>• Community Facilities</li> <li>• Food and Beverage Service</li> <li>• Light Manufacturing, Research and Development, Wholesale Distribution Facilities</li> <li>• Lodging</li> <li>• Services/ Office uses</li> <li>• Accessory Uses, Buildings and Structures</li> <li>• Urban Agriculture</li> </ul> <p><b>Conditional uses:</b></p> <ul style="list-style-type: none"> <li>• Communication Broadcast and Production Facilities</li> <li>• Helistop</li> <li>• Mixed Use Development</li> </ul> |

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| <ul style="list-style-type: none"> <li>• Employment agency, business and professional</li> <li>• Essential services and utilities</li> <li>• Flooring store</li> <li>• Florist</li> <li>• Funeral home, mortuary,</li> <li>• Furniture store</li> <li>• Gasoline station</li> <li>• Gym or fitness center</li> <li>• Hardware store</li> <li>• Hobby or craft store</li> <li>• Laboratory (medical, dental, research and development)</li> <li>• Lawn and Garden Shop</li> <li>• Library, museum, art gallery</li> <li>• Medical Marijuana Treatment Center - Dispensary Facility</li> <li>• Mobile Collection Center</li> <li>• Night Club</li> <li>• Offices</li> <li>• Package, liquor, beer or wine</li> <li>• Pharmacy</li> <li>• Places of worship</li> <li>• Plant or produce sales</li> <li>• Post office</li> <li>• Photocopy or small job printing shop</li> <li>• Recording or broadcasting studio</li> <li>• Repair shop, household and personal items</li> <li>• Restaurant, fast food, full service and take out</li> <li>• Retail store</li> <li>• School, commercial</li> <li>• School, trade or vocational</li> <li>• Shopping center</li> <li>• Skateboard facility</li> <li>• Skating rink</li> <li>• Supermarket</li> <li>• Swimming pool supplies</li> <li>• Theater</li> <li>• Tool rental</li> <li>• Upholstery</li> <li>• Veterinary clinic</li> <li>• Video store</li> <li>• Wireless communication facilities</li> </ul> | <ul style="list-style-type: none"> <li>• Employment agency, business and professional</li> <li>• Essential services and utilities</li> <li>• Flooring store</li> <li>• Florist</li> <li>• Funeral home, mortuary,</li> <li>• Furniture store</li> <li>• Gasoline station</li> <li>• Gym or fitness center</li> <li>• Hardware store</li> <li>• Hobby or craft store</li> <li>• Laboratory (medical, dental, research and development)</li> <li>• Lawn and Garden Shop</li> <li>• Library, museum, art gallery</li> <li>• Medical Marijuana Treatment Center - Dispensary Facility</li> <li>• Mobile Collection Center</li> <li>• Night Club</li> <li>• Offices</li> <li>• Package, liquor, beer or wine</li> <li>• Pharmacy</li> <li>• Places of worship</li> <li>• Plant or produce sales</li> <li>• Post office</li> <li>• Photocopy or small job printing shop</li> <li>• Recording or broadcasting studio</li> <li>• Repair shop, household and personal items</li> <li>• Restaurant, fast food, full service and take out</li> <li>• Retail store</li> <li>• School, commercial</li> <li>• School, trade or vocational</li> <li>• Shopping center</li> <li>• Skateboard facility</li> <li>• Skating rink</li> <li>• Supermarket</li> <li>• Swimming pool supplies</li> <li>• Theater</li> <li>• Tool rental</li> <li>• Upholstery</li> <li>• Veterinary clinic</li> <li>• Video store</li> <li>• Wireless communication facilities</li> </ul> | <p><b><u>Accessory use only:</u></b></p> <ul style="list-style-type: none"> <li>• Bar, lounge, tavern or pub</li> <li>• Barber shop, beauty salon, nail salon</li> <li>• Bakery retail</li> <li>• Bookstore, news stand</li> <li>• Child care center, pre-school, or adult day care</li> <li>• Courier service</li> <li>• Delicatessen</li> <li>• Dry cleaning or laundry drop-off and pick up</li> <li>• Florist</li> <li>• Gym or fitness center</li> <li>• Hotel or motel</li> <li>• Photocopy or small job printing shop</li> <li>• Estaurant, fast food, full service, take-out</li> <li>• School, commercial</li> </ul> | <p><b><u>Accessory uses, buildings and structures:</u></b></p> <ul style="list-style-type: none"> <li>• Meeting rooms and banquet facilities</li> <li>• Office</li> <li>• On-site corporate/employer sponsored child day care facility</li> <li>• Retail sales, internal to a principal building</li> <li>• Warehouse, only when accessory to Radio, Television and Motion Picture Broadcast and Production Facilities, Light Manufacturing, Research and Development, and Wholesale Distribution Facilities,</li> </ul> |
| <p><b><u>Conditional uses:</u></b></p> <ul style="list-style-type: none"> <li>• Holiday wayside stand</li> <li>• Outdoor event</li> <li>• Outdoor grilling accessory to fast food, full service, or take out restaurant</li> </ul>   | <p><b><u>Conditional uses:</u></b></p> <ul style="list-style-type: none"> <li>• Holiday wayside stand</li> <li>• Outdoor event</li> <li>• Outdoor grilling accessory to fast food, full service, or take out restaurant.</li> </ul>  |   |  |

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| <b>Accessory use only:</b><br>• Accessory dwellings<br>• Accessory structures | <b>Accessory use only:</b><br>• Accessory dwellings<br>• Accessory structures |  |  |

**Table 2 – Comparison of Dimensional Standards**

| Requirement                    | Existing Zoning District(s)  |  |   | Proposed Zoning District                                  |
|--------------------------------|--|--|---|---|
|                                | B-2<br>(General Commercial Business)   | B-2A<br>(Planned Business Center)  | OP<br>(Office Park)   | CC<br>(Commerce Center District)                          |
| <b>Maximum Building Height</b> | 100 feet   | 35 feet  | 25 feet   | 150 feet  |
| <b>Minimum Lot Size</b>        | none   | 100 feet in width and 10,000 square feet in area   | 3 acres   | None  |
| <b>Maximum Lot Coverage</b>    | 35%  | none   | 20%   | 70%   |
| <b>Minimum front yard</b>      | 25 feet when contiguous to a residentially zoned property<br><br>10 feet when adjacent to a street, dedicated alley, canal, water area, railroad right-of-way, or public open space. | 25 feet when contiguous to a residentially zoned property<br><br>10 feet when adjacent to a street, dedicated alley, canal, water area, railroad right-of-way, or public open space. | 25 feet from all property lines. (40 feet when abutting a residentially zoned property) | 40 feet   |
| <b>Minimum corner yard</b>     | 25 feet when contiguous to a residentially zoned property<br><br>10 feet when adjacent to a street, dedicated alley, canal, water area, railroad right-of-way, or public open space. | 25 feet when contiguous to a residentially zoned property<br><br>10 feet when adjacent to a street, dedicated alley, canal, water area, railroad right-of-way, or public open space. | 25 feet from all property lines. (40 feet when abutting a residentially zoned property) | 40 feet   |
| <b>Minimum side yard</b>       | 25 feet when contiguous to a residentially zoned property<br><br>10 feet when adjacent to a street, dedicated alley, canal, water area, railroad right-of-way, or public open space. | 25 feet when contiguous to a residentially zoned property<br><br>10 feet when adjacent to a street, dedicated alley, canal, water area, railroad right-of-way, or public open space. | 25 feet from all property lines. (40 feet when abutting a residentially zoned property) | 15 feet (30 feet when contiguous to residential property) |
| <b>Minimum Rear Yard</b>       | 25 feet when contiguous to a residentially zoned property<br><br>10 feet when adjacent to a street, dedicated alley, canal, water area,  | 25 feet when contiguous to a residentially zoned property<br><br>10 feet when adjacent to a street, dedicated alley, canal, water  | 25 feet from all property lines. (40 feet when abutting a residentially zoned property) |   |

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|  | railroad right-of-way, or public open space. | area, railroad right-of-way, or public open space. |  |  |
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**COMPREHENSIVE PLAN CONSISTENCY:**

The City’s Future Land Use Map indicates these properties have future land use designations of Commercial and Office Park. The proposed uses under the CC District are consistent with this land use designation.

The proposed rezoning is consistent with the City’s Comprehensive Plan Goals, Objectives and Policies, specifically Future Land Use Element Goal 1, Objective 1.1, Policy 1.1.9.

**PUBLIC PARTICIPATION:**

The rezoning request is subject to the public participation requirements established under Section 47-27.4 and 47-24.1.F.14 of the ULDR. According to the Applicant, a public participation meeting was held on May 23, 2023, to offer the surrounding properties the opportunity to learn about the proposed project. The Public Participation Summary and Affidavit are attached as **Exhibit 3**.

In addition, this request is subject to sign notification requirements established in ULDR Section 47-27.4. The applicant has installed a total of three signs on the property and has submitted a sign affidavit indicating proper sign notification was provided. The Sign Affidavit and Photographs of the posted signs are included 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 that the proposed development or use meets the standards and requirements of the ULDR and criteria for rezoning, the Planning and Zoning Board shall approve 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 47-26.B, Appeals.

The applicant has submitted narratives outlining how the project complies with the applicable sections of the ULDR, attached as Exhibit 2, to assist the Board in determining if the proposal meets these criteria.

**EXHIBITS:**

1. Location Map and Zoning District Map
2. Sketch and Legal Description
3. Application and Applicant’s Narrative
4. Public Participation Summary and Affidavit
5. Sign Affidavit and Photographs