



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#23-0187

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Greg Chavarria, City Manager

DATE: February 7, 2023

TITLE: Second Reading – Quasi-Judicial Ordinance Approving a Rezoning from Residential Multifamily Mid Rise – Medium High Density (RMM-25) District to Northwest Regional Activity Center-Mixed-Use East (NWRAC-MUe) District – 628 NW 3rd Avenue; East of NW 3rd Avenue, West of NW 2nd Avenue, South of NW 7th Street and North of 610 NW 3rd Avenue – Water Tower Apartments, LLC. – Case No. UDP-Z22016 – **(Commission District 2)**

Recommendation

Staff recommends the City Commission consider an ordinance rezoning 0.92 acres of land from Residential Multifamily Mid Rise Medium High Density (RMM-25) District to Northwest Regional Activity Center - Mixed-Use east (NWRAC-MUe) District.

Background

The applicant is seeking to rezone two properties generally located at 628-642 NW 3rd Avenue; on the east side of NW 3rd Avenue, west of NW 2nd Avenue, south of NW 7th Street and north of NW 3rd Avenue, totaling 0.92 acres of land. If approved, the NWRAC-MUe District will extend northbound between NW 2nd Avenue and NW 3rd Avenue, up to NW 7th Street and would encompass 628 NW 3rd Avenue and 642 NW 3rd Avenue, excluding 620 NW 3rd Avenue. The properties proposed to be rezoned are currently comprised of vacant land, multifamily residential uses, and the South Florida Montessori Academy. At this time, development plans on the subject parcels have not been submitted with the rezoning application. A location map of the properties and the sketch and legal description of the proposed rezoning are attached as Exhibit 1 and Exhibit 2, respectively.

On October 19, 2022, the Planning and Zoning Board recommend approval (6-0) of the proposed rezoning. The rezoning application and the applicant's narrative responses to review criteria are attached as Exhibit 3. The October 19, 2022, Planning and Zoning Board Staff Report and Meeting Minutes are attached as Exhibit 4 and Exhibit 5, respectively. On January 24, 2023, the City Commission held a public hearing to consider the proposed rezoning.

Review Criteria:

Pursuant to Section 47-24.4- Rezoning, 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.

Rezoning the property to NWRAC-MUE is consistent with Northwest Regional Activity Center (NWRAC) future land use designation. The NWRAC future land use designation is intended to create a vibrant community with a successful mix of businesses and residential uses defined with walkable streets and quality buildings based upon the Northwest/Progreso/Flagler Heights Community Redevelopment Area Implementation Plan (NPF CRA). The proposed rezoning from RMM-25 to NWRAC-MUE is consistent with the City's Comprehensive Plan applicable goals, objectives, and policies, specifically Future Land Use Element Goal 2, Objective 2.4, Policy 2.4.3 which encourages revitalization of redevelopment areas and redevelopment to be consistent with the Northwest/Progreso/Flagler Heights Redevelopment Plan. Reference below section, titled Comprehensive Plan Consistency, 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 proposed rezoning of the property to NWRAC-MUE will not adversely impact the character of development in or near the area under consideration. The character of the area lends itself to the inclusion of supportive uses, such as restaurants, retail, and coffee shops, which requires residential development to support existing and future commercial uses along the primary corridor of Sistrunk Blvd and nearby Flagler Village. The property is surrounded by properties zoned RMM-25 to the north and east consisting of single family and multifamily properties, Commercial/Light Industrial Business (B-3) to the west consisting of warehouses, and NWRAC-MUE to the south containing a midrise mixed-use building comprised of first floor commercial uses and five floors of residential units. The Northwest/Progreso/Flagler Heights Redevelopment Plan promotes the renovation of existing structures, with new infill development to help support local commerce and community revitalization. Rezoning of properties to NWRAC-MUE is in alignment with the neighborhood's goal of supporting redevelopment opportunities and has the potential of increasing housing opportunities and local employment. Housing is needed to support new businesses and ensures higher levels of purchasing power through increases in density, helping to fortify the economic vitality of existing future businesses in the Progreso Village Neighborhood.

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 uses permitted by the NWRAC zoning district are compatible with the character of the surrounding districts and uses. The NWRAC Master Plan is intended to promote and enhance the existing mix of uses and character of the NWRAC by providing for a wide range of employment, shopping services, cultural and residential opportunities, with a

mixture of residential and non-residential uses. Rezoning to NWRAC-MUe would ensure compliance with the development standards required by the NWRAC Master Plan. Moreover, the subject sites abut mixed use properties along Sistrunk Boulevard and Flagler Village, both areas containing zoning designations that support higher density development, walkability, and commercial services to nearby residential neighborhoods. The expansion of the NWRAC-MUe zoning district aligns with an existing development pattern that seeks to provide services to nearby residential neighborhoods and is not out of character based existing districts and uses. Lastly, pursuant to ULDR Section 47-13.29, Design Standard Applicability, future developments are required to meet the Northwest Regional Activity Center Design Standards, which include but are not limited to building orientation, architectural requirements, open space, vehicular and pedestrian access, building materials, active ground floor uses and facades. Additional standards for parking facilities, landscaping, signage, and streetscapes will also be applied during the development review process at the time of site plan application to further ensure neighborhood compatibility.

A general comparison of permitted uses in the current and proposed zoning districts is provided in Table 1. A comparison of current and proposed dimensional standards for each district is provided in Table 2. For a complete list of dimensional requirements reference ULDR Section 47-5.36. - Table of Dimensional Requirements for the RMM-25 District and ULDR Section 47-13.31. - Table of Dimensional Requirements for the NWRAC-MU District.

Table 1: Comparison of Zoning District Uses	
Existing Zoning District RMM-25	Proposed Zoning District NWRAC-MUe
Residential Uses	Automotive
Public Purpose Facilities	Boats, Watercraft and Marinas
Child Day Care Facilities	Commercial Recreation
Accessory Uses, Buildings and Structures	Food and Beverage Sales and Service
Urban Agriculture	Lodging
Conditional Uses	Public Purpose Facilities
Lodging	Residential Uses
Mixed-Use Development	Services/Office Facilities
Nursing Home Facilities	Storage Facilities
Child Day Care Facilities	Conditional Uses
	Car Wash, Automatic
	Charter and Sightseeing Boat

	Marina
	Watercraft Repair, Minor Repair
	Watercraft Sales and Rental, New or Used
	Communication Towers, Structures, and Stations
	Hospital, Medical and Public Health Clinic
	Social Service Residential Facility
	Child Day Care Facilities
	Nursing Home Facilities

Table 2: Comparison of Dimensional Requirements		
Requirements	Existing Zoning District RMM-25	Proposed Zoning District NWRAC-MUe
Maximum Building Height (ft.)	55'	65' By Right (110' Performance Standard and Incentive Request)
Minimum Front Yard (ft.)	25'	0'
When Abutting Residential	N/A	15'
Minimum Side Yard (ft.)	5'	0'
When Abutting Residential	N/A	15'
Minimum Rear Yard (ft.)	15'	0'
When Abutting Residential	N/A	15'
Corner Yard (ft.)	No Less than 10'	None
Minimum Building Shoulder Height (ft.)	None	25' (2 Stories)
Maximum Building Shoulder Height (ft.)	None	65' (5 Stories)

Comprehensive Plan Consistency

The property is designated Northwest Regional Activity Center on the City's Future Land Use Map. The proposed rezoning and associated uses are consistent with the NWRAC future land use designation.

The NWRAC is intended to encourage redevelopment and expansion of employment and housing opportunities within the area. Further, the proposed rezoning is consistent with the City's Comprehensive Plan applicable goals, objectives, and policies, specifically Future Land Use Element Goal 2, Objective 2.4, which encourages revitalization of redevelopment areas and redevelopment to be consistent with the Northwest/Progresso/Flagler Heights Redevelopment Plan.

The proposed rezoning is also supported by Future Land Use Element, Goal 2 Objective FLU 2.3: Mixed-Use Development Multimodal Environment, which encourages mixed-use development to help support active and vibrant neighborhoods through well integrated land use combinations. The Progresso Village Neighborhood contains a mixture of single family and small multifamily developments. The expansion of the NWRAC-MUe zoning district will help support the diversification of housing types through the promotion of larger multifamily development opportunities. Furthermore, the overlying Master Plan requirements that would apply to the NWRAC-MUe Zoning District, promote the integration of active first floor commercial uses, such as coffee shops, restaurants, and bars, helping to promote a walkable community by providing opportunities to establish local shops and stores.

Public Participation:

The application is subject to the public participation requirements established under ULDR Section 47-24.1. F.14. Per the applicant, mail notifications were sent to property owners within 300 feet of the subject property and a virtual public participation meeting was held on September 7, 2022, to offer the neighborhood and surrounding properties the opportunity to learn about the proposed rezoning. The public participation meeting had four people in attendance.

In addition, this request was subject to sign notification requirements established in ULDR, Section 47-27.4. The applicant posted three signs on the property and has met the requirements of this section. The public participation meeting summary and affidavits are attached as Exhibit 6.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *2022 Commission Priority*, advancing the Smart Growth initiative.

This item supports the *Press Play Fort Lauderdale Strategic Plan 2024*, specifically advancing:

- Business Development Focus Area.
- Goal 5: Build an attractive global and local economic community marketplace.
- Objective: Create a responsive and proactive business climate to attract emerging industries

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Prosperous*.

This item supports the *Advance Fort Lauderdale 2040 Comprehensive Plan* specifically advancing:

- The Business Development Focus Area
- The Economic Development Element
- Goal 1: Enhance the economic competitiveness of Fort Lauderdale through policies that encourage retention and recruitment of business and industry which provide living-wage employment and increased training and competitiveness of the local workforce.

Attachments

Exhibit 1 - Location Map

Exhibit 2 - Sketch and Legal Description

Exhibit 3 - Rezoning Application and Applicant's Narrative Responses to Review Criteria

Exhibit 4 - October 19, 2022, Planning and Zoning Board Staff Report

Exhibit 5 - October 19, 2022, Planning and Zoning Board Meeting Minutes

Exhibit 6 - Public Participation Meeting Summary and Affidavits

Exhibit 7 - Ordinance

Prepared by: Nicholas Kalargyros, Urban Planner, Development Services Department

Department Director: Christopher Cooper, AICP, Development Services Department