



**REQUEST:** Rezoning from Commercial Warehouse District (C-1) Broward County to Community Business District (CB)

<b>Case Number</b>	UDP-Z22002	
<b>Property Owner/Applicant</b>	SCC Property Holdings and Management, LLC.	
<b>Agent</b>	Andrew Schein, Esq., Lochrie & Chakas, P.A.	
<b>General Location</b>	2525 NW 19 <sup>th</sup> Street	
<b>Property Size</b>	38,171 square feet / 0.88 acres	
<b>Current Zoning</b>	Commercial Warehouse District (C-1) Broward County	
<b>Proposed Zoning</b>	Community Business (CB)	
<b>Existing Use</b>	Vacant	
<b>Proposed Use</b>	Retail	
<b>Future Land Use Designation</b>	Commercial	
<b>Applicable Unified Land Development Regulations (ULDR) Sections</b>	Section 47-24.4 Rezoning Criteria	
<b>Notification Requirements</b>	Section 47-27.5, Sign Notice Section 47-27.5, Mail Notice	
<b>Action Required</b>	Recommend Approval, Recommend Rezoning to a More Restrictive Zoning District, or Deny	
<b>Section 166.033, Florida Statutes</b>	<b>180-day Expiration Date</b>	<b>Extension Date (s)</b>
	August 8, 2022	September 18, 2022
<b>Project Planner</b>	Yvonne Redding, Urban Planner III	CP

**PROJECT DESCRIPTION:**

The applicant, SCC Property Holdings and Management, LLC., is requesting to rezone 38,171 square feet (0.88 acres) of land located at 2525 NW 19<sup>th</sup> Street from Commercial Warehouse (C-1) Broward County zoning district to Community Business (CB) zoning district to permit the development of a 7,500 square-foot retail building on the site. A location map and sketch and legal description of the properties to be rezoned are attached as **Exhibit 1**. The application and project narratives are attached as **Exhibit 2**.

**BACKGROUND:**

The subject property is located in the Rock Island Area, generally described as the area flanked by NW 19<sup>th</sup> Street to the south, the City of Oakland Park to the north, the City of Lauderdale Lakes to the west, and Interstate 95 (I-95) to the east.

The Rock Island area was incorporated into the City of Fort Lauderdale on November 18, 2005. On November 4, 2008, the area was included in the City's Comprehensive Plan update and designated with the City's Commercial future land use designation. In order to permit the proposed retail development on the site, the site must be rezoned to one of the City's zoning designations. An associated site plan for a "Dollar General" store (Case #UDP-S22006) with a parking reduction request is currently under review and will be placed on a future Planning and Zoning Board agenda.

**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's future land use designation is Commercial. The proposed rezoning from C-1 to CB is consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Policy FLU 1.1.5 which states that the city shall employ its comprehensive plan, zoning ordinances and land development codes to establish differing intensities of commerce development compatible with adjacent and surrounding land uses, including but not limited to lands designated Commercial, Employment Center, Office Park and Industrial.

2. The changes anticipated by the proposed rezoning will not adversely impact the character of development in or near the area under consideration.

This rezoning will not adversely impact the character of development in or near the area. The pattern of development in this area is classified by low-intensity commercial uses and medium-intensity industrial uses. The *current C-1 zoning designation* district is intended for repair and maintenance services, wholesale, storage and warehouse uses, and sales or rental of large or heavy machinery and equipment. Rezoning the Property to CB will lessen the intensity of development on the property and will be more consistent with the pattern of development in the area and the existing residential uses to the north of the property. In addition, the proposed retail development application must meet the requirements of ULDR Section 47-25.3, Neighborhood Compatibility, to ensure adequate buffering of nonresidential uses adjacent to residential uses.

3. The character of the area proposed for rezoning is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses.

The property is located immediately to the south of a residential area, which is zoned RD-10 (County Zoning). The RD-10 district allows for residential uses including single family, duplex and attached one-family dwelling. Therefore, the existing (C-1) zoning is inconsistent with the surrounding districts. By rezoning the property to CB, the property will be more compatible and consistent with surrounding districts and uses.

A general comparison of permitted uses in the current and proposed zoning district is provided in Table 1. A general comparison of current and proposed dimensional standards for each district is provided in Table 2. The applicant has submitted project narratives outlining how the rezoning complies with the applicable sections of the ULDR, attached as **Exhibit 2**.

**Table 1: General Comparison of Zoning District Uses**

Existing Zoning District	Proposed Zoning District
Commercial Warehouse District C-1 (County Zoning)	Community Business District (CB)
<u>Permitted Uses:</u> Automobile repair Bar, lounge, restaurant, fast food, full service Commercial vehicle storage Fuel and gas storage and distribution Funeral homes and mortuary Offices (medical, dental, professional, etc.) Marine sales, repair and dockage Pet boarding kennels Retail Lodging Service/Office facilities	<u>Permitted Uses:</u> Commercial recreation Food and beverage sales and services Mixed use development Public purpose use Retail sales Service/Office facilities Accessory Uses, Buildings, and Structures

Accessory Uses, Buildings and Structures	
<u>Limitations of uses:</u> Home offices Outdoor event permits Holiday wayside stands Off-site parking Yard sales Pain management Outdoor grilling accessory to fast food, full services, or take-out restaurant	<u>Conditional Uses:</u> Communication towers, structures, and stations Child daycare Medical cannabis dispensing House of worship Social service residential facilities Helistop

**Table 2: General Comparison of Dimensional Standards**

	<b>Existing Zoning District</b>	<b>Proposed Zoning District</b>
	Commercial Warehouse District C-1 (County Zoning)	Community Business District (CB)
<b>Building Height</b>	No building or structure located within one hundred (100) feet of any plot zoned for detached one-family dwellings, two-family dwellings or townhouses shall be constructed to a height exceeding two stories.	150 feet
<b>Building Length</b>	n/a	n/a
<b>Floor Area Ratio (FAR)</b>	n/a	n/a
<b>Front Setback</b>	No building or structure shall be erected or maintained within twenty-five (25) feet of the intersection of two streets, nor within fifteen (15) feet of the intersection of any driveway and street, except as permitted in subsection (7) following.	<u>Primary Streets:</u> 5 feet (minimum)  <u>Corner Street:</u> 5 feet (minimum)
<b>Rear Setback</b>	N/A	0 feet 15 feet if contiguous to residential
<b>Side Setback</b>	No building or structure shall be erected or maintained within twenty-five (25) feet of the intersection of two streets, nor within fifteen (15) feet of the intersection of any driveway and street, except as permitted in subsection (7) following.	0 feet 10 feet if contiguous to residential
<b>Lot Size</b>	N/A	n/a
<b>Landscape Area</b>	Open space: 1 tree/2,000 square feet of lot area. 10 shrubs/2,000 square feet of lot area Foundation planting: 20% of building frontage facing widest right-of-way	20% of vehicle use area

**COMPREHENSIVE PLAN CONSISTENCY:**

The property's future land use designation is Commercial. The proposed rezoning is consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Policy FLU 1.1.5 which states that the city shall employ its comprehensive plan (land use plan), zoning ordinances and land development codes to establish differing intensities of commerce development compatible with adjacent and surrounding land uses, including but not limited to lands designated Commercial, Employment Center, Office Park and Industrial. .

**PUBLIC PARTICIPATION**

The proposed rezoning request is subject to the public participation requirements established in ULDR, Section 47-27.4. This section states that notice of the applicant's public presentation meeting and notice of the Planning and Zoning Board meeting must be sent to official city-recognized civic associations located within 300 feet of the property. According to the City's official civic association list and map, there are no civic associations within 300 feet of the proposal. Mail notice is required for property owners located within 300 feet of the property. Mail notice was sent on July 1, 2022.

In addition, this request is subject to sign notice requirements established in ULDR, Section 47-27.4. The sign was posted on the property fronting the street frontage. The public sign notice affidavit and a photograph of the sign is attached as **Exhibit 3**

**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 2, to assist the Board in determining if the proposal meets the criteria.

**EXHIBITS:**

1. Location Map and Sketch and Legal Description
2. Application and Project Narratives
3. Public Sign Notice Photographs and Affidavit