



**REQUEST:** Rezoning from Planned Unit Development (PUD) to Parks, Recreation and Open Space (P) District

<b>Case Number</b>	UDP-Z22006
<b>Property Owner/Applicant</b>	City of Fort Lauderdale
<b>General Location</b>	1621 SW 24 <sup>th</sup> Street
<b>Property Size</b>	47,586 square feet / 1.09 acres
<b>Current Zoning</b>	Planned Unit Development (PUD)
<b>Proposed Zoning</b>	Parks, Recreation and Open Space (P) District
<b>Existing Use</b>	Park
<b>Proposed Use</b>	Park
<b>Future Land Use Designation</b>	Medium Residential
<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 prior to meeting Section 47-27.5, Mail Notice
<b>State Statute 166.033 Expiration Date</b>	The City waives the statutory deadline
<b>Action Required</b>	Recommend Approval, Recommend Rezoning to a More Restrictive Zoning District, or Deny
<b>Project Planner</b>	Michael P. Ferrera Urban Planner II

**PROJECT DESCRIPTION:**

The City of Fort Lauderdale is requesting to rezone 47,586 square feet (1.09 acres) of land located at 1621 SW 24<sup>th</sup> Street from Planned Unit Development (PUD) to Parks, Recreation and Open Space (P) District to ensure consistency and continuity with the existing use, the *Esterre Davis Wright Park*. The location map is attached as **Exhibit 1**. The application, narrative responses to criteria, and sketch and legal description of the property proposed to be rezoned are attached as **Exhibit 2**.

**BACKGROUND:**

On April 1, 2004, the City Commission approved the rezoning from Residential Single Family/Duplex/Low Medium Density (RD-15) District to PUD for the property located north of SW 24<sup>th</sup> Street, south of SW 20<sup>th</sup> Street, east of SW 17<sup>th</sup> Avenue and west of SW 15<sup>th</sup> Avenue. The overall project approval included the conveyance of the 1.09-acre property located at 1621 SW 24<sup>th</sup> Street to the City of Fort Lauderdale. Included in the conveyance of the subject project was a set of provisions, as provided in Ordinance No. C-04-21, Section 3.A.2(a-e) that specify that an application shall be submitted to rezone the property to Parks, Recreation and Open Space (P) District and the property shall remain as a park in perpetuity. Ordinance No. C-04-21 approving the initial rezoning to PUD is attached as **Exhibit 3**. This application to rezone the property to Parks, Recreation and Open Space (P) District will ensure that the requirements in Ordinance No. C-04-21 are met.

**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 is currently zoned PUD and has an underlying land use designation of Residential Medium, which is intended primarily for residential dwellings and other land uses in support of

the residential environment. The proposed Parks, Recreation and Open Space zoning district is consistent with this land use designation. 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 existing use of the property is a park. The proposed rezoning will ensure the zoning district is consistent with the existing use. The proposed rezoning will not adversely impact the character of development in or near the area under consideration.

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 of the property to Park is compatible with the surrounding residential uses. Since the current use of the site is park, the proposed rezoning will ensure the zoning district is compatible with the existing uses and support nearby properties with a park and open space.

A general comparison of permitted uses in the current and proposed zoning districts is provided in Table 1. For the complete detailed list of uses, refer to ULDR Section 47-37.4, List of Permitted Uses; Planned Unit Development (PUD) and ULDR Section 47-8.14, List of Permitted and Conditional Uses; Parks, Recreation and Open Spaces (P) District. A comparison of current and proposed dimensional standards for each district is provided in Table 2.

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

Existing Zoning District	Proposed Zoning District
Planned Unit Development (PUD)	Parks, Recreation and Open Space (P) District
Permitted Uses: Residential Uses Amenities as depicted and described on the Approved Development Plan Recreational and Open Space and Park areas Temporary sales center as depicted and described on the Approved Development Plan.	Permitted Uses: Parks, Recreation, and Open Space uses and Facilities Active and Passive Park Facilities Beach Civic Facilities, Cultural Facilities, Educational Facilities Conservation Areas Fishing Pier Indoor and Outdoor Public Recreational Facility
	Accessory Uses, Buildings and Structures
	Limitations on Uses  Conservation areas. Conservation areas are designated in accordance with the Broward County Land Use Plan Map Series as a means to protect natural resource areas (Broward County Land Use Plan). Uses are limited in conservation areas as follows:  i. Passive outdoor recreational uses such as wildlife sanctuaries and feeding stations, nature centers and trails, outdoor research stations and walkways.  ii. Uses which do not impair the natural environment or disturb the natural ecosystem of the area and which are

	not in conflict with any applicable contractual agreement or management policies of the federal, state, regional, county, municipal or nonprofit agency which manages the area.
	Urban Agriculture
Conditional Uses: N/A	Conditional Uses: Golf Course Public Marina Public Unity Communication Towers, Structures, and Stations Yacht Club

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

	Existing Zoning District	Proposed Zoning District
	Planned Unit Development (PUD)	Parks, Recreation and Open Space (P) District
Density	As depicted on the Approved PUD Development Plan	N/A
Building Height		60 Feet*
Building Length		N/A
Floor Area Ratio (FAR)		N/A
Front Setback		25 Feet*
Rear Setback		25 Feet*
Side Setback		25 Feet*
Lot Size		N/A
Landscape Area		N/A

\*An increase in the maximum dimensional requirements is subject to the requirements of a site plan level III permit.

### **COMPREHENSIVE PLAN CONSISTENCY:**

The proposed rezoning is consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Parks, Recreation, and Open Space Element, Goal 1, Objective 1.1 – Providing for Park Space, ensuring that the provision of parks, facilities, and programs adequately meets or exceeds the needs and desires of the City's residents.

The City's Future Land Use Map indicates this property has a future land use designation of Medium Residential. More specifically, the Medium land use designation is intended primarily for dwellings and other land uses in support of the residential environment. The proposed rezoning meets the intent of the land use designation.

### **PUBLIC PARTICIPATION**

The proposed rezoning request is subject to the public participation requirements established in the ULDR, Section 47-27.4. This section states that public outreach should include any city-recognized civic association within 300 feet of the property. A summary of the meeting with the River Oaks Civic Association which took place on June 17, 2022, is attached as **Exhibit 4**. A mail notification requirement to property owners within 300 feet of the property was completed and mailed on July 5, 2022.

In addition, this request is subject to public sign notification requirements established in ULDR, Section 47-27.4. Two signs were posted on the property fronting the two street frontages. The Public Sign Notice Affidavit and Photographs of the Signs are attached as **Exhibit 5**.

### **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.

Project narratives outlining how the rezoning complies with the applicable sections of the ULDR are attached as Exhibit 2, to assist the Board in determining if the proposal meets the criteria.

**EXHIBITS:**

1. Location Map
2. Application, Narrative, and Sketch and Legal Description
3. Ordinance No. C-04-21 Approving PUD Rezoning
4. Public Meeting Summary
5. Public Sign Notice Affidavit and Photographs of the Signs