



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

FROM: Susan Grant, Acting City Manager

DATE: January 22, 2025

TITLE: Second Reading – Quasi-Judicial Ordinance Rezoning from Residential Multifamily Mid Rise Medium High Density (RMM-25) District to Northwest Regional Activity Center- Mixed Use West (NWRAC-MUw) District – 500 - 538 NW 9th Avenue and 537 NW 8th Avenue – Applicant: 6th on Powerline, LLC. - Case No. UDP-Z24010 – **(Commission District 3)**

Recommendation

Staff recommends the City Commission consider adopting an ordinance rezoning 70,125 square feet or 1.60 acres of land from Residential Multifamily Mid Rise Medium High Density (RMM-25) District to Northwest Regional Activity Center - Mixed-Use west (NWRAC-MUw) District.

Background

The applicant, 6th on Powerline, LLC, is seeking to rezone a property generally located at 500 - 538 NW 9th Avenue and 537 NW 8th Avenue; on the east of NW 9th Avenue, west of 8th Avenue, south of NW 6th Street Boulevard and north of NW 5th Street, totaling 1.60 acres of land. If approved, the NWRAC-MUw district will extend south to NW 5th Street on the west side of the block from NW 6th Street, west to NW 9th Avenue. The subject properties are currently comprised of a single-family residential uses and vacant land. A site plan application for the subject properties has not been submitted at this time. The location map is attached as Exhibit 1. The sketch and legal description of the proposed rezoning is attached as Exhibit 2, respectively.

On November 20, 2024, the Planning and Zoning Board (PZB) recommend approval (8-0) of the proposed rezoning. The rezoning application and the applicant's narrative responses to review criteria are attached as Exhibit 3. The November 20, 2024, PZB Staff Report and Meeting Minutes are attached as Exhibit 4 and Exhibit 5, respectively.

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-MUw is consistent with Northwest Regional Activity Center (NWRAC) future land use designation. Please refer to the Comprehensive Plan Consistency section herein 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 properties to NWRAC-MUw will not adversely impact the character of development in or near the area under consideration. The Northwest Progresso-Flagler Heights Redevelopment Plan promotes new infill development to help support local commerce and community revitalization. In addition, rezoning of properties to NWRAC-MUw is in alignment with the goal of supporting redevelopment opportunities and is consistent with the vision outlined in the Northwest RAC Design Guidelines.

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 rezoning of the properties to NWRAC-MUw is compatible with the existing and proposed mix of uses in the surrounding area. The properties are surrounded by other properties zoned NWRAC-MUw to the north, RMM-25 to the east, Community Facility: House of Worship (CFH) and RMM-25 to the south, and Exclusive Use Parking Lot (X-P) and Residential Single Family/Low Medium Density (RS-8) to the west. The proposed rezoning of the properties expands the NWRAC-MUw mixed use zoning southward along NW 9th Avenue, consistent with the underlying NWRAC land use. Further, pursuant to ULDR Section 47-13.29, future developments are required to meet the Northwest Regional Activity Center Design Standards, which include but are not limited to streetscape, building orientation, architectural requirements, open space, vehicular and pedestrian access, building materials, active ground floor uses and facades. These standards will be applied at time of site plan review.

A general comparison of permitted uses in the current and proposed zoning districts is provided in Table 1 below. For a complete list of uses in each district, refer to ULDR Section 47-5.19.- List of Permitted and Conditional Uses, RMM-25 Residential Mid Rise Multifamily/Medium High-Density District and ULDR Section 47-13.10. - List of Permitted and Conditional Uses, Northwest Regional Activity Center-Mixed Use west (NWRAC-MUw).

Table 1: General Comparison of Permitted Uses

EXISTING ZONING DISTRICT	PROPOSED ZONING DISTRICT
RMM-25	NWRAC-MUw
<u>Permitted Uses:</u> Residential Uses Public Purpose Facilities Child Day Care Facilities Accessory Uses, Buildings and Structures Urban Agriculture	<u>Permitted Uses:</u> Automotive Boats, Watercraft and Marinas Commercial Recreation Food and Beverage Sales and Service Lodging
<u>Conditional Uses:</u> Lodging Mixed-Use Development Nursing Home Facilities Child Day Care Facilities	Public Purpose Facilities Residential Uses Services/Office Facilities Storage Facilities
	<u>Conditional Uses:</u> 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

A comparison of current and proposed dimensional standards for each district is provided in Table 2 below. 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-MUw District.

Table 2: Comparison of Dimensional Requirements

REQUIREMENTS	EXISTING ZONING DISTRICT	PROPOSED ZONING DISTRICT
	RMM-25	NWRAC-MUw
Maximum building height (ft.)	55 feet	45 feet
Minimum front yard (ft.):	25 feet	5 feet
When Abutting Residential	N/A	15 feet
Minimum side yard (ft.):	5 feet	5 feet
When Abutting Residential	N/A	15 feet
Minimum rear yard (ft.):	15 feet	5 feet
When Abutting Residential	N/A	15 feet
Corner yard (ft.):	No Less than 10 feet	5 feet
Minimum Building Shoulder Height (feet.):	None	25 feet (2 Stories) Min
Maximum Building Shoulder Height (feet.):	None	65 feet (5 Stories) Max

Comprehensive Plan Consistency

The property is designated Northwest Regional Activity Center (NWRAC) 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-MUw 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-MUw 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 October 14, 2024, to offer the neighborhood and surrounding properties the opportunity to learn about the proposed rezoning. The public participation meeting had one person from the public in attendance. The applicant also attended the Progresso Village Civic Association meeting on October 21, 2024, the Historic Dorsey Riverbend meeting on October 28, 2024, and the Home Beautiful Park meeting on November 6, 2024. The applicant's public participation meeting summary and affidavit are attached as Exhibit 4.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item supports the Press Play Fort Lauderdale 2029 Strategic Plan, specifically advancing:

- The Business Growth and Support, Goal 6: Build a diverse and attractive economy.

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

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

- The Neighborhood Enhancement Focus Area
- The Future Land Use Element
- Goal 2: The City shall encourage sustainable, smart growth which designates areas for future growth, promotes connectivity, social equity, preservation of neighborhood character and compatibility of uses.
- Goal 3: Promote the advancement of great neighborhoods throughout the implementation of the Goals, Objectives and Policies of this plan in compliance with the Broward County Land Use Plan and State Regulations.
- The Urban Design Element
- Goal 1: Promote high-quality and sustainable building design elements which complement the public realm.

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 - November 20, 2024, Planning and Zoning Board Staff Report

Exhibit 5 - November 20, 2024, Planning and Zoning Board Meeting Minutes

Exhibit 6 - Public Meeting Summary, Sign Notice, Mail Notice and Affidavits

Exhibit 7 - Business Impact Estimate

Exhibit 8 - Ordinance

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