



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

16-0459

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

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: May 17, 2016

TITLE: Quasi-Judicial – Ordinance Approving Rezoning from Residential Mid Rise Multifamily/Medium Density District (RMM-25) to Exclusive Use – Parking Lot (X-P) with Commercial Flex Allocation – 3025 East Commercial Boulevard - Case ZR15007

Recommendation

It is recommended that the City Commission adopt an ordinance rezoning 9,500 square feet of land, located south of NE 51st Street, between Bayview Drive and NE 33rd Avenue, from RMM-25 to X-P through allocation of commercial flex acreage, and approving the associated site plan for a proposed medical use building at 3025 East Commercial Boulevard.

Background

The applicant proposes to construct a 7,932 square-foot medical use building on a parcel zoned CB - Commercial Business and fronting on East Commercial Boulevard ("business property"). The proposal includes the redevelopment of an existing surface parking lot, north of, and directly across the 20-foot alley that lies adjacent to the business property. The 9,500 square-foot surface parking lot is proposed to be rezoned from RMM-25 to X-P to make improvements and accommodate parking which will serve the medical use. A location map is included as Exhibit 1. The site plan and application are included as Exhibits 2 and 3.

The Development Review Committee (DRC) reviewed the proposal on December 8, 2015. All comments have been addressed. The rezoning application was reviewed by the Planning and Zoning Board (PZB) on March 16, 2016, and was recommended for approval subject to condition that the property owner shall make available the rezoned parking area as available to the public when the applicant's business is not open, by a vote of 8-1 along with the site plan and parking reduction. The application and the record and report of the PZB are available as Exhibits 4, 5 and 6. The sketch and description are provided as part of the attached ordinance.

As per Section 47-24.4.D of the City's Unified Land Development Regulations (ULDR), 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 parking lot site is designated Medium-High Residential on the City's Future Land Use Map. The X-P district provides the opportunity for certain low intensity commercial uses to be placed within a residential area in a manner compatible with the residential character of the area. The surface parking will accommodate parking for the use and will be buffered with landscaping and pedestrian improvements. The X-P zoning designation is consistent with the City's Comprehensive Plan in that the proposed rezoning is permitted in this land use category, subject to the allocation of commercial flexibility acreage. The property is located in Flex Zone 40, which has 94.34 of commercial acres available for allocation. The application will require allocation of 0.22 acres of commercial flexibility.

2. Substantial changes in the character of development in or near the area under consideration support the proposed rezoning.

Changes in the general area, including improvements to existing businesses along this stretch of Commercial Boulevard support the proposed redevelopment and supporting uses in the area, including associated parking needs. The application requires bringing an existing non-conforming parking lot into conformance with the City's ULDR, providing for a higher level of buffer and landscape treatments. The properties to the east and west of the site are also developed with parking lots. The properties to the north, across NE 51st Street, include a mix of townhouse and multi-family residential uses. This rezoning will allow for the replacement of a former restaurant with a building designed for medical uses to serve the surrounding community.

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 site proposed for rezoning is currently a legally non-conforming commercial parking lot. The proposed X-P zoning district is restricted to parking only and serves as a buffer between the existing residential and commercial area. The proposed rezoning request would result in the redevelopment of the existing surface parking lot and no additional uses will be permitted on the property that may impact the character of the surrounding area. The proposed rezoning would not represent a substantial change to the character of the surrounding area. The surrounding properties across the alley to the south are zoned Community Business (CB) and have a Commercial Land Use Designation, consistent with the medical use. The properties to the north, east and west are zoned RMM-25 and have a Medium-High Land Use designation.

As per Section 47-9.20.C of the ULDR, an application for a rezoning to an X district shall be reviewed in accordance with the following criteria:

1. The proposed site and use meet the conditions and performance criteria provided in this section;
2. The height, bulk, shadow, mass, and design of any structure located on the site is compatible with surrounding properties and is consistent with the goals and objectives for the location of the property as provided in the comprehensive plan.

No associated structures are proposed on the site associated with the proposed application for rezoning to X-P. The revised site plan increases the conformity of the code by including additional landscape and buffer treatments adjacent to the residential use, as well as a new pedestrian access path. In association with the rezoning request for the surface parking lot, a one-story, 7,932 square-foot medical office building is proposed on the CB portion of the development. The proposed building is approximately 22-feet in height, a scale which is generally consistent with other development in the area.

The legal sketch and description of the area to be rezoned is included as part of the plan sets. The applicant has provided narrative responses to all criteria, including Section 47-25.2 of the ULDR, Adequacy Requirements, and Section 47-25.3 of the ULDR, Neighborhood Compatibility Requirements, provided in the plans sets. Staff concurs with applicant's assessment.

Vehicular ingress into the parking lot is provided from Commercial Boulevard and the alley. There is no proposed access from NE 51st Street. To improve pedestrian connectivity in the area, a pedestrian walkway is provided from NE 51st Street to the main entrance of the building.

A total of 53 parking spaces are required for the proposed development. Planning and Zoning Board approved a parking reduction reducing the number of required on-site parking spaces from 53 to 26. The parking reduction shall not be effective nor shall a building permit be issued for a parking facility until thirty (30) days after approval and after the requirements in subsection A.4 are met, if no motion is adopted by the city commission seeking to review the application or no appeal is filed as provided in Section 47-26B, Appeals. Seven spaces are proposed on the CB site, and 19 are proposed on the X-P site, which will provide the majority of onsite parking spaces.

The commercial properties along this part of Commercial Boulevard utilize public parking spaces for the majority of customer parking. The parking reduction of 27 spaces was granted based on the parking analysis, which was reviewed and accepted by the Department of Transportation and Mobility (TAM), and indicates that there is sufficient available public parking within a 700 foot radius to accommodate the required spaces. Furthermore, a condition proffered by the PZB and accepted by the applicant, requires that the 26 onsite parking spaces be available to the public when the proposed medical use is not open. The parking reduction analysis is included as Exhibit 7.

The City Commission shall hold a public hearing to consider the application and the record and recommendations forwarded by the Department of Sustainable Development (DSD) and the PZB, and shall hear public comment on the application when determining whether the rezoning request meets the criteria for rezoning.

Conditions

1. PZB recommended as a condition of approval, the property owner shall make available the rezoned parking area as available to the public when the applicant's business is not open.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Business Development Cylinder of Excellence, specifically advancing:

- Goal 6: Be a well-positioned City within the global economic and tourism markets of the South Florida region, leveraging our airports, port and rail connections.
- Objective 2: Facilitate a responsive and proactive business climate.

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

Resource Impact

There is no fiscal impact associated with this action.

Attachments

Exhibit 1 – Location Map

Exhibit 2 – Site Plan

Exhibit 3 – Application

Exhibit 4 – Applicant's Narrative

Exhibit 5 – Staff Report from the March 16, 2016 PZB Meeting

Exhibit 6 – Approved Minutes from the March 16, 2016 PZB Meeting

Exhibit 7 – Parking Reduction Analysis

Exhibit 8 – Ordinance

Prepared by: Eric Engmann, Planner III

Department Director: Al Battle Jr., Sustainable Development