

**Rezoning Criteria Narrative, Sec. 47-24.4
825 East Sunrise Boulevard
Fort Lauderdale, Florida 33304**

I. The Property. Pursuant to Section 47.24.4. of the City of Ft. Lauderdale (“City”) Unified Land Development Regulations (“ULDR”), 2245 North Miami Avenue, LLC (“Applicant”) is seeking to rezone a portion of the property located at 825 East Sunrise Boulevard, Fort Lauderdale, Florida (“Property”). The folio numbers of the Property is 494234047490. The following narrative is a written description of the rezoning criteria as required under Sec. 47.24.4. of the ULDR.

II. Background Information. A portion of the Property is currently zoned Boulevard Business (“B-1”) with a Commercial land use designation. Lots 16-19 are currently zoned Residential Multifamily Medium Density (“RMM-25”) with a Residential Medium 25 land use designation. The Property is currently an undeveloped parcel. The Applicant is seeking to rezone the RMM-25 parcels to the Exclusive Use District (“X-P”) zoning designation in order to provide surface parking for the proposed retail building.

A parcel map is below and the Property is highlighted in yellow:



III. Rezoning Criteria Narrative, Sec. 47-24.4 of ULDR

A. An application for a rezoning shall be reviewed in accordance with the following criteria under Sec. 47-24.4.D. of the ULDR:

1. The zoning district proposed is consistent with the City's Comprehensive Plan.

Response: According to the City's Comprehensive Plan, areas designated for residential use on the City's Future Land Use Map are intended primarily for dwellings, but other land uses in support of the residential environment, such as community retail and parking to support retail, may also be appropriate. *City of Ft. Lauderdale Comprehensive Plan Vol. 1, Section IV.*

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

Response: The Property is proposed for an XP zoning to provide parking for an adjacent retail use along the commercial corridor of Sunrise Boulevard. The adjacent property to the West was rezoned to a B-1 zoning and Commercial land use designation. The adjacent property to the East was rezoned to a CB zoning designation. These changes to the zoning and character of the adjacent parcels constitute a substantial change to the character to development in the area of the Property. Since the area is undergoing revitalization and redevelopment, a rezoning of the Property to the XP zoning is appropriate and consistent with the changes in the area.

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.

Response: The Sunrise Boulevard corridor is undergoing revitalization with new and enhanced retail uses. The Property was sold by the City of Fort Lauderdale to the Applicant for a proposed retail use. The adjacent uses to the East and West are existing or approved retail or commercial uses. The character of the proposed development and the proposed surface parking area is consistent with the existing multi-family use located to the North of the Property. Accordingly, the proposed rezoning and new retail use is compatible with the surrounding districts and uses.

IV. Rezoning to an X District (Sect. 47-9-20 of ULDR)

A. **Criteria.** In addition to the criteria provided for a rezoning approval, the following criteria shall apply:

1. **The proposed site and use meet the conditions and performance criteria provided in this section.**

Response: The following performance standards shall apply to parking lots as set forth in Sect. 47-9.21.

- a. **Parking lots must meet the requirements for parking lots provided in [Section 47-20](#), Parking and Loading Requirements.**

Response: The parking area meets the design requirements as set forth herein.

- b. *Access.*

- (i) ***Pedestrian.* When a parking lot parcel does not abut the parcel which it is intended to serve the principal pedestrian access to the X district property shall be along a safe pedestrian path as defined in [Section 47-20.4](#), from the uses it is intended to serve. Off-site public pedestrian amenities may be required as a condition to rezoning in order to provide a safe pedestrian path.**

Response: Parking area abuts commercial building and is part of the same parcel.

- (ii) ***Vehicular.* Shall comply with [Section 47-20](#), Parking and Loading Requirements.**

Response: The parking area meets the Parking and Loading requirements as set forth herein.

- c. ***Landscape and bufferyards.* A parking lot shall comply with the landscape and buffering provisions of [Section 47-21](#), Landscape and Tree Preservation Requirements, and [Section 47-25.3](#), Development Review Criteria, for parking lots. Parking lots which are part of an X-P-OR or X-P-R rezoning shall be required to meet the provisions of subsection E or F as applicable.**

Response: The parking area meets the Landscape and Bufferyard requirements as set forth herein.

- d. **Lighting.** Lighting of a parking lot shall comply with the requirements of [Section 47-20](#), Parking and Loading Requirements.

Response: The parking area meets the lighting requirements as set forth herein.

- e. **Noise.** Noise levels shall conform to the performance standards provided in Section 47-9.22.B.

Response: The parking area meets the noise requirements as set forth herein.

- f. **Signage.** Signage shall comply with the requirements in [Section 47-22](#), Sign Requirements.

Response: The parking area meets the Signage requirements as set forth herein.

- g. **Pedestrian enhancements shall be provided in accordance with Section 47-9.22.C.**

Response: The parking area meets the pedestrian enhancement requirements as set forth herein.

- h. **Waterway use.** When located on a waterway, a parking lot shall be required to meet the requirements of [Section 47-23.8](#), Waterway Use.

Response: The parking area is not located on a waterway.

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.**

Response: The proposed single story 8901 sf retail building and use is compatible in height, bulk and density with surrounding properties and consistent with the goals and objectives of the land use designations in the Fort Lauderdale Comprehensive Plan.

V. Allocation of commercial use on residential land use parcel. (Sec. 47-28.1.G ULDR)

- A. The city may permit commercial uses on a parcel with a residential land use designation subject to the following conditions:

1. **Rezoning of the development site to community business (CB) only, or to exclusive use (X-Use); and**

Response: A section of the Property will be rezoned to X-P.

2. **No more than five percent (5%) of the total area within a flexibility zone which is designated residential on the city's plan, may be rezoned to CB or X-Use; and**

Response: No more than 5% of the total land area in the applicable flex zone is designated residential under the City's comprehensive plan.

3. **The parcel proposed for CB or X-Use use shall not be greater than ten (10) contiguous acres;**

Response: The Property to be rezoned to X-P is not greater than 10 acres.

4. **Criteria:**

- a. **Demonstration that the use of commercial flex acreage supports and implements the specific goals, objectives and policies of the city's LUP.**

Response: Please see narrative Sect. III, A. 1. Above.

- b. **Rezoning application in accordance with Sec. 47-24.2, Development Permits and Procedures.**

Response: The proposed rezoning application is submitted and processed in accordance with Section 47-24.2, Development Permits, and meets the rezoning criteria set forth therein.

- c. **Site plan approval level III in accordance with Sec. 47-24.2, Development Permits and Procedures.**

Response: The proposed application and site plan is reviewed as a site plan approval level III in accordance with Sect. 47-24.2, Development Permits, and meets the site plan criteria set forth therein.

Narrative for Allocation of Commercial Flexibility
825 East Sunrise Boulevard
DRC Case No.: 16002

Pursuant to Sect. 47-28.1 of the Fort Lauderdale Unified Land Development Regulations, the Flexibility Rules permit the City of Fort Lauderdale to revise and rearrange land uses without requiring an amendment to the Broward County Land Use Plan. The Applicant is seeking a rezoning of 13,498 sf (.309 acres) to the XP zoning category, which requires an allocation of commercial flexibility units. The Property is located in Flex Zone 46, which has 57.9 acres of commercial flexibility available for allocation. Please see below an explanation of how this Application meets the criteria for allocation of commercial flexibility:

Sect. 47-28.1.G. *Allocation of commercial uses on residential land use designated parcels.*

1. The city may permit commercial uses on a parcel with a residential land use designation subject to the following conditions:

a. Rezoning of the development site to community business (CB) only, or to exclusive use (X-Use); and

Response: The proposed rezoning is for an XP zoning category, which is an exclusive use zone for parking.

b. No more than five percent (5%) of the total area within a flexibility zone which is designated residential on the city's plan, may be rezoned to CB or X-Use; and

Response: No more than 5% of the total area within the flexibility zone 47 is allocated for the XP zoning. A rezoning of only .309 acres is requested.

c. The parcel proposed for CB or X-Use use shall not be greater than ten (10) contiguous acres;

Response: The proposed rezoning is for .309 acres, which is less than the 10 acre maximum permitted area.

d. Criteria:

i. Demonstration that the use of commercial flex acreage supports and implements the specific goals, objectives and policies of the city's LUP.

Response: The Project complies with the following goals and objectives as set forth in the Fort Lauderdale Land Use Plan.

Goal 1: Promote distribution of land uses that enhance character of Fort Lauderdale.

Objective 1.8: Encourage parcel aggregation to result in larger parcels for redevelopment.

Objective 1.19: Development shall be compatible with existing neighborhoods.

Objective 1.22: Encouraging high quality development, particularly along the primary commercial corridors.

Objective 1.29: Reducing Inconsistencies: eliminate or reduce land uses found to be inconsistent with the community's character.

Objective 1.36: Utilize flexibility rules to facilitate arrangement of commercial acreage to allow the City to respond to changing conditions.

Objective 1.38: Support a competitive and diversified economy.

ii. Rezoning application in accordance with [Sec. 47-24.2](#), Development Permits and Procedures.

Response: Please see the Rezoning Criteria Narrative and rezoning application.

iii. Site plan approval level III in accordance with [Sec. 47-24.2](#), Development Permits and Procedures.

Response: The proposed is being approved as a site plan approval level III.