



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#16-1358

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

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

DATE: December 6, 2016

TITLE: Quasi-Judicial – Ordinance – Rezone from Residential Mid Rise Multifamily/Medium Density District (RMM-25) to Exclusive Use Parking (X-P) through the Allocation of Commercial Flex and Approval of Site Plan Including a Parking Reduction and Relocation of Residential Street Closure – “825 Sunrise” – 825 Sunrise, LLC. – 825-831 E. Sunrise Boulevard – Case ZR16002

Recommendation

It is recommended that the City Commission conduct a public hearing and adopt an ordinance rezoning 13,498 square feet of land, located on the north side of Sunrise Boulevard, between NE 8th and 9th Avenue, from RMM-25 to X-P through allocation of 0.3099 acres of commercial flex acreage, and approve the associated site plan for a retail use building proposed at 825-831 East Sunrise Boulevard, including the relocation of the existing 9th Avenue street closure and a parking reduction of the amount of required on-site parking spaces from 35 to 31.

Background

The applicant proposes to construct an 8,902 square-foot retail building on a parcel of land zoned Boulevard Business (B1) fronting on East Sunrise Boulevard with associated parking on a 13,498 square-foot parcel of land north of the B1 parcel and zoned RMM-25. The RMM-25 parcel is proposed to be rezoned to X-P, Exclusive Use Parking lot, to permit the parking for the retail use. A location map is included as Exhibit 1. The review process for a rezoning to an exclusive use zoning district includes a site plan review as part of the rezoning review. The site plan of the area to be rezoned is included as part Exhibit 2. The applicant also seeks a parking reduction and the relocation of a street closure barrier as part of the site plan approval. The application is included as Exhibit 3.

The Development Review Committee (DRC) reviewed the X-P rezoning application on May 24, 2016. All comments have been addressed. The application was reviewed by the Planning and Zoning Board (PZB) on October 19, 2016, and was recommended for approval by a vote of 8-0. The staff report and minutes from the PZB meeting are available as Exhibits 5 and 6.

The City's Unified Land Development Regulations (ULDR) provides that the exclusive use rezoning be reviewed as provided in Section 47-9.20 as well as Section 47-24.4, Rezoning, which provides that 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 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 46, which has 57.9 commercial acres available for allocation. The application will require allocation of 0.3099 acres of commercial flexibility.

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

Changes in the general area, including improvements to existing businesses along this stretch of Sunrise Boulevard support the proposed redevelopment and supporting uses in the area, including associated parking needs. The properties to the east and west of the site are also developed with parking lots. The properties to the north include a mix of single-family, duplex, townhouse and multi-family residential uses.

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 vacant land. The proposed rezoning request would result in the redevelopment of the vacant land into a parking area to serve the retail use, and no additional uses will be permitted on the property that may impact the character of the surrounding area. A 12-foot wide landscape buffer will screen the parking area from the residential properties to the north. The proposed rezoning will not represent a substantial change to the character of the surrounding area. The properties to the east, west and south are zoned Boulevard Business (B-1) and have a Commercial Land Use Designation, consistent with the retail use. The properties to the north are zoned RMM-25 and have a Medium-High Land Use designation.

As per ULDR Section 47-9.20.C, 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 structures are proposed on the site associated with the proposed application. In association with the rezoning request for the surface parking lot, a one-story, 8,902-square-foot retail building is proposed on the B1 portion of the site. The proposed building is approximately 22-feet in height, a scale which is generally consistent with other development in the area.

The applicant has provided narrative responses to all rezoning criteria, including ULDR Section 47-25.2, Adequacy Requirements, and Section 47-25.3, Neighborhood Compatibility Requirements, provided as part of Exhibit 4. Staff concurs with applicant's assessment.

ULDR Section 47-9.2. – Conditions of rezoning, requires that flex acreage is allocated pursuant of Section 47-28. – Flexibility Rules. In accordance with ULDR Section 47-28.1.G, the City of Fort Lauderdale may permit commercial uses on a parcel with a residential land use designation when (a) rezoning the development site to exclusive use, (b) no more than five percent (5%) of the total area within the flexibility zone which is designated residential may be rezoned to CB or X-use, (c) the parcel proposed for X-use is not greater than ten (10) contiguous acres, and (d) demonstration that the use of commercial flex acreage supports and implements the specific goals, objectives and policies of the City's Land Use Plan (LUP). The Project complies with the following goals and objectives as set forth in the Fort Lauderdale LUP. 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. The Applicant is seeking a rezoning of 13,498 square feet (.3099 acres) from RMM-25 to XP. The property is located in Flex Zone 46, which calculated to have 57.9 acres of commercial flexibility available for allocation.

A total of 35 off-street parking spaces are required for the proposed development. The applicant proposes to reduce the parking by 4 spaces. Parking reductions are reviewed as a site plan level III pursuant to the Section 47-20.3 of the ULDR. The application including a parking analysis was reviewed and accepted by the Department of Transportation and Mobility (TAM) and indicates that sufficient parking is provided to accommodate the proposed use. The PZB approved a parking reduction reducing the number of required off-street parking spaces from 35 to 31.

To improve pedestrian connectivity in the area, a new sidewalk lined with 4 parallel parking spaces will also be provided along the eastern border of the site, northward from the existing sidewalk on Sunrise Blvd. The parking reduction analysis is provided as Exhibit 7.

The proposed site plan provides for ingress and egress to the parking area from NE 9th Avenue in an area located north of a street planter barrier. This barrier was installed in this location to close off NE 9th Avenue from Sunrise Blvd and was originally approved by the City Commission at a public hearing held on November 3, 1998. The minutes of the hearing reflect that the exact placement of the barriers would be determined through working with the Civic Association and the residents of the subject roads. The applicant proposes to relocate the existing 9th Avenue street closure 65 feet north to allow retail traffic to access the proposed parking lot from Sunrise Boulevard rather than through the Lake Ridge neighborhood. The Lake Ridge Civic Association supports the proposed relocation, on the basis that the applicant addresses several requests outlined in a letter from the Lake Ridge Civic Association provided as Exhibit 8. The PZB voted 8-0 recommending approval of the relocation of the closure.

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.

Resource Impact

There is no fiscal impact associated with this action.

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*.

Attachments

Exhibit 1 – Location Map

Exhibit 2 – Site Plan, Sketch and Legal Description of Proposed Rezoning

Exhibit 3 – Application

Exhibit 4 – Applicant's Narratives

Exhibit 5 – Staff Report from the October 19, 2016 PZB Meeting

Exhibit 6 – Draft Minutes from the October 19, 2016 PZB Meeting

Exhibit 7 – Parking Reduction Analysis

Exhibit 8 – Lake Ridge Civic Association Letter

Exhibit 9 – Ordinance

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