



REQUEST: Site Plan Level IV Review; Rezone from Single Family / Low Medium Density (RS-8) District to Community Business (CB) District with Allocation of 0.35 Acres of Commercial Flex for a 6,637 Square-Foot Retail Use

Case Number	ZR17005	
Applicant	840 SW 24th Street, LLC.	
General Location	840 SW 24th Street	
Property Size	25,080 square feet / 0.57 acres	
Current Zoning	Boulevard Business (B-1) and Residential Single Family / Low Medium Density (RS-8)	
Proposed Zoning	Boulevard Business (B-1) and Community Business (CB)	
Existing Use	Closed Gas Station	
Proposed Use	6,637 Square Foot Retail Use	
Future Land Use Designation	Commercial and Low-Medium Density Residential	
Applicable ULDR Sections	47-6.20, Table of Dimensional Requirements for CB and B-1 47-24.4, Rezoning Criteria 47-23.9, Interdistrict Corridor Requirements 47-25.2, Adequacy Requirements 47-25.3, Neighborhood Compatibility Requirements 47-28, Flexibility Rules	
	Required (B1 and CB)	Proposed
Lot Density	N/A	N/A
Lot Size	None	25,080 square feet (0.57 acres)
Lot Width	None	162 feet
Building Height	150 feet max	19 feet
Structure Length	N/A	98 feet – 1 inches
Floor Area	N/A	6,950 square feet
Landscape Area	2,708 SF minimum	3,398 square feet
Parking	28 spaces	30 spaces
Setbacks/Yards	Required	Proposed
Front (N)	5 feet	12 feet – 9 inches
Side Corner Yard (W)	5 feet	13 feet
Side (E)	N/A	50 feet – 8 inches
Rear Corner Yard (S)	5 feet	75 feet
Notification Requirements	Sec. 47-27.6 Sign Notice 15 days prior to meeting Sec. 47-27.4. Public Participation	
Action Required	Recommend Approval or Denial to the City Commission	
Project Planner	Florentina Hutt, AICP, Planner III	

PROJECT DESCRIPTION

The applicant, 840 SW 24th Street, LLC., proposes to construct a 6,637 square foot retail store located at 840 SW 24th Street. The applicant is proposing to rezone a portion of the property from Single Family / Low Medium Density (RS-8) District to Community Business (CB) District utilizing commercial flex. The property has an underlying land use of Commercial and Low-Medium Residential.

PRIOR REVIEWS

The Development Review Committee reviewed the proposal on April 11, 2017. All comments have been addressed. The DRC record is available on file with the Department of Sustainable Development.

REVIEW CRITERIA

The following criteria apply to the proposed request:

- ULDR Section 47-23.9, Interdistrict Corridor Requirements
- ULDR Section 47-24.4, Rezoning Criteria
- ULDR Section 47-25.2, Adequacy Requirements
- ULDR Section 47-25.3, Neighborhood Compatibility Requirements
- ULDR Section 47-28, Flexibility Rules

Interdistrict Corridor Requirements

Per the City's Unified Land Development Regulations (ULDR) Section 47-23.9, Interdistrict Corridor Requirements, developments abutting State Road 84 lying between the west line of Federal Highway and the east line of Interstate 95 shall promote a spatial framework that creates an environment supportive of pedestrian and multi-modal transportation options, while maintaining sufficient landscape area to support proper shade tree growth and sustainability along corridors that serve as major gateways into the City.

The Interdistrict Corridor Requirements require a build-to-line of 20 feet for 75% of the frontage and building transparency of 35%. The building is setback at 20 feet to State Road 84 for approximately 60% of the frontage. Consistent with the ULDR, the 75% of the frontage requirement may be reduced to allow for access into the site, which is proposed as part of this project. In addition, the building contains approximately 40% transparency, exceeding the 35% requirement. Awnings are provided over the doors and windows, and a 7-foot sidewalk is proposed along State Road 84 with direct pedestrian connections to the principal entrance of the building, consistent with this code section.

Streetscape design for the project incorporates shade trees along State Road 84, setback approximately 12 feet from the curb, and located behind the 7-foot sidewalk. Along SW 9th Avenue, the project proposes palms due to overhead power lines. The overall landscape plan provides sufficient landscaping, significantly improving existing conditions and meeting the overall intent of the Interdistrict Corridor Requirements.

Rezoning Criteria

Per the City's ULDR Section 47-24.4.D, 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 proposed rezoning to CB is consistent with the City's Comprehensive Plan through the allocation of commercial flex. Please refer to additional analysis further below.

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 development is located along the State Road 84 corridor which already contains a variety of commercial uses. The project will serve the local neighborhood and capture customers from the adjacent area. The proposed rezoning is generally consistent with the character of development along the corridor.

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 surrounding properties have a land use designation of Commercial, Community Facility, and Low-Medium Residential, with zoning classifications of B-1, CF, and RS-8, respectively. The property is surrounded by retail to the east, restaurants to the west, residential properties to the south and Lauderdale Memorial Park to the northeast and northwest. The proposed rezoning does not introduce a new use into this neighborhood, as the existing zoning along the corridor allows for retail, generally consistent with the character of the area as described above.

Adequacy and Neighborhood Compatibility:

The adequacy criteria of ULDR Section 47-25.2 are used to evaluate the demand created on public services and facilities by a proposed development. Water and wastewater is serviced by the City of Fort Lauderdale. A capacity letter was issued by the City's Public Works Department which identified the plant facilities, pump station and associated infrastructure servicing this project and the project's impact on capacity. The capacity letter is attached as Exhibit 2.

The neighborhood compatibility criteria of ULDR Sec 47-25.3 include performance standards requiring all developments to be "compatible with, and preserve the character and integrity of adjacent neighborhoods... the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts".

The proposed development is located in an area of the City which includes a variety of commercial uses and the project will serve the local neighborhoods. The development is generally compatible with the character of the area through the use of appropriate building design and buffering solutions. The proposed one-story building is located 75 feet away from SW 25th Street that separates the development from the residential neighborhood and is screened by a 10-foot landscape buffer along the rear side of the property. In addition, the architectural treatment of the proposed building compliments the character of abutting residential area through the use of human scale elements, such as: awnings, well defined pedestrian entrances and large window coverage. The applicant is proposing a 7-foot sidewalk along State Road 84, a 5-foot sidewalk along SW 9th Avenue, and pedestrian connections from the street to the building. An improved pedestrian environment is proposed in order to enhance the neighborhood, by placing the buildings closer to the street and by providing pedestrian access from the street to the buildings.

Flexibility Rules

Pursuant to City's ULDR) Section 47-28.1.G, Allocation of Commercial Uses on Residential Land Use Designated Parcels, commercial use is permitted if the allocation of commercial flex does not exceed five percent of the total land use area within the applicable flexibility zone. Currently, there are 38.4 acres available for commercial flex allocation. The portion of the property to be rezoned is 0.35 acres and to date, 7 acres of commercial flex have been utilized in flex zone 56. If approved, 38 acres of commercial flex will remain.

PARKING AND CIRCULATION:

Vehicular ingress and egress into the site is provided from State Road R 84 and SW 9th Avenue. A total of 30 parking spaces are required for the proposed uses, as follows:

Table 1 – Parking Summary

Use	Parking Ratio	Required
Retail -6,950 square feet	1 space/250 square feet	28 spaces
Total Provided		30 spaces

The applicant is proposing a 7-foot sidewalk along State Road 84, a 5-foot sidewalk along SW 9th Avenue, and pedestrian connections from the street to the building. An improved pedestrian environment is proposed in order to enhance the neighborhood, by placing the buildings closer to the street and by providing pedestrian access from the street to the buildings.

COMPREHENSIVE PLAN CONSISTENCY:

The proposed use is consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.19, Neighborhood Compatibility, Policy 1.19.5, which helps mitigate the intensity of commercial development adjacent to residential neighborhoods through ULDR controls including height and floor area ratio limitations and buffering requirements, as well as the Future Land Use Element, Goal 1, Objective 1.42, Protection of Residential Neighborhoods and Policy 1.20.1, which states that the City shall continue to maintain, through the ULDR, buffering provisions, which are necessary to protect residential areas from adjacent commercial developments. Please refer to Neighborhood Compatibility criteria analysis above.

The City's Future Land Use Map indicates that the proposed project has a split land use designation; residential and commercial. In order to permit commercial uses in a residential land use designation, the allocation of flex acreage is required per the City's Comprehensive Plan, Goal 1, Objective 1.36, Use of Flexibility and Irregular Density Provision. This property is located in Flex Zone 56. The City is required to monitor and track the allocation of flex. The table below provides a summary of allocation for flex zone 56, and remaining balance of flex acreage if the project is approved.

Table 2 – Flex Zone 56

	Flex Acreage
Total Permitted	45.4
Assigned to Date	7
Pending	.35
Remaining	38.05

PUBLIC PARTICIPATION

The project is subject to the public participation requirements established in ULDR, Section 47-27.4. According to the applicant, a public participation meeting was held on May 30, 2017 in order to offer the neighborhood associations surrounding the property the opportunity to learn about the proposed project. The public participation meeting summary and affidavit are provided as Exhibit 3.

In addition, this request is subject to sign notification requirements established in ULDR Section 47-27.4. The applicant has installed a total of 3 signs on the property and has submitted a sign affidavit indicating proper sign notification was provided. Exhibit 4 contains the affidavit and pictures of the posted signs.

STAFF FINDINGS:

Staff recommends the Board approve this request consistent with:

- ULDR Section 47-23.9, Interdistrict Corridor Requirements
- ULDR Section 47-24.4, Rezoning Criteria
- ULDR Section 47-25.2, Adequacy Requirements
- ULDR Section 47-25.3, Neighborhood Compatibility Requirements

The applicant has submitted narratives regarding the project's compliance with applicable ULDR Sections, which are attached as part of Exhibit 1, to assist the Board in determining if the proposal meets these criteria.

PLANNING & ZONING BOARD REVIEW OPTIONS:

If the Planning and Zoning Board determines that the application meets the 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 the criteria for the rezoning and if consented to by the 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 Section 47-26B, Appeals.

EXHIBITS:

1. Project Narratives and Site Plan
2. Water/Sewer Capacity Letter
3. Public Participation Meeting Summary and Affidavit
4. Pictures of Public Notice Signs and Sign Affidavit