



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#18-0063

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

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

DATE: January 23, 2018

TITLE: Quasi-Judicial – Ordinance – Rezoning 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 – 840 SW 24th Street, LLC.– 840 SW 24th Street – Case ZR17005

Recommendation

It is recommended that the City Commission adopt an ordinance rezoning a portion of the site located at 840 SW 24th Street 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.

Background

The applicant, 840 SW 24th Street, LLC., proposes to construct a 6,637 square foot retail store located at 840 SW 24th Street and 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.

Pursuant to criteria outlined in the Unified Land Development Regulations (ULDR) Section 47-24.4.D, *Rezoning*, the rezoning application and associated site plan was reviewed by the Planning and Zoning Board (PZB) on October 18, 2017, and recommended for approval by a vote of 8-0.

The project location map is provided as Exhibit 1. Project narratives, site plan, and legal sketch and description of the area to be rezoned are included as part of Exhibit 2. The PZB staff report and meeting minutes are attached as Exhibit 3 and Exhibit 4, respectively.

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 Boulevard Business (B-1), Community Facility (CF), and Residential Single Family/Low Medium Density District (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 neighborhood compatibility criteria of ULDR Section 47-25.3 includes 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 the 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 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, approximately 38 acres of commercial flex will remain.

Parking and Circulation

Vehicular ingress and egress into the site is provided from State Road 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 rezoning request is subject to the public participation requirements established in Section 47-27.4 of the ULDR. The applicant has provided supporting documentation indicating that a public participation meeting was held on May 30, 2017 providing the neighborhood associations the opportunity to learn about the proposed project. The public participation meeting summary and affidavit are provided as Exhibit 5.

The City Commission shall hold a public hearing to consider the application, the record and recommendations forwarded by the Department of Sustainable Development (DSD) and the PZB, as well as public comment received at the October 18th PZB meeting. The records are available upon request.

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 Neighborhood Enhancement Cylinder of Excellence, specifically advancing:

- Goal 5: Be a community of strong, beautiful, and healthy neighborhoods.
- Objective 2: Enhance the beauty, aesthetic, and environmental quality of neighborhoods.

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

Attachments

Exhibit 1 – Location Map

Exhibit 2 – Applicant's Narrative, Site Plan, and Sketch and Legal

Exhibit 3 – PZB Staff Report from October 18, 2017

Exhibit 4 – PZB Meeting Minutes from the October 18, 2017

Exhibit 5 – Public Participation Meeting Summary and Affidavit

Exhibit 6 – Ordinance

Prepared by: Florentina Hutt, Planner III, Sustainable Development

Department Director: Anthony Greg Fajardo, Sustainable Development