



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#18-0113

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

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

DATE: February 20, 2018

TITLE: Quasi-Judicial – Ordinance – Rezoning from Community Facility to General
Industrial – Bridge Development Partners, LLC- 3033 and 3233 SW 12th
Avenue- Case ZR 18001

Recommendation

It is recommended that the City Commission adopt an ordinance to rezone a 10.26 acre parcel of land located at 3033 and 3233 SW 12th Avenue from Community Facility (CF) to General Industrial (I).

Background

The applicant, Bridge Development Partners, LLC, is requesting to rezone the subject parcel of land to allow for a future warehouse/distribution facility on the site.

The City Commission adopted a change in land use designation from Community Facilities to Industrial Use on January 23, 2018. The Broward County Planning Council and Broward County Commission are expected to adopt the amendment at public hearings in February or March of 2018. Per Chapter 163.3184 (12), Florida Statutes, the City can consider an application for zoning changes at the request of an applicant to enact a proposed plan amendment. Zoning changes approved by the local government are contingent upon the comprehensive plan or plan amendment transmittal becoming effective.

Pursuant to City's Unified Land Development Regulations (ULDR) Section 47-24.4.D, *Rezoning*, the rezoning application was reviewed by the Planning and Zoning Board (PZB) at their January 17, 2018 meeting and recommended for approval by a vote of 7-0.

The location map of the subject site is provided as Exhibit 1. The applicant's narrative, legal sketch and description of the property to be rezoned is included as part of Exhibit 2. The proposed concept site plan is included as Exhibit 3. The PZB staff report and draft meeting minutes are attached as Exhibit 4 and Exhibit 5, respectively.

Rezoning Criteria

Per Section 47-24.4.D, Rezoning Criteria 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 proposed zoning district, General Industrial (I), is consistent with the pending change in land use designation to Industrial Use. This category provides for industrial uses which accommodate opportunities for the retention and expansion of warehouse and storage uses, facilities which contribute to distribution of goods and are of benefit to the City's economic activities.

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

The change anticipated by the proposed rezoning will not adversely impact the character of the neighborhood. The site is in close proximity to major highway systems including Interstate Highway I-95 and Interstate Highway I-595 which support the transportation and logistical requirements of industrial development. Considering the limited amount of space near highways for industrial uses, the General Industrial (I) zoning category is appropriate for this site. In addition, a future industrial use will further buffer residential uses from the nearby highways.

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 rezoning is compatible with existing industrial uses to the south and east that have the General Industrial (I) zoning classification and an Industrial Use land use designation. In addition, the site is in close proximity to Interstate Highway I-95 and Interstate Highway I-595 which support the transportation and logistical requirements of industrial development.

Adjacent to the north and west of the subject property, there are residential uses that have the Residential Low Medium (8) land use designation and the following zoning classifications: Residential Single Family/Low Medium Density (RS-8), Residential Single Family/Duplex/Low Medium Density (RD-15), and Residential Mid-Rise Multifamily/Medium High Density (RMM-25).

Future development on the property would be assessed through the Development Review Committee process in accordance with ULDR Section 47-24.3 Conditional Use Permit for any industrial use within 300 feet of residential property and Section 47-25.3 Neighborhood Compatibility to reduce the impacts of future industrial uses on neighboring residential uses requiring including appropriate setbacks and buffering, and reviewing methods to ensure related traffic is lead away from residential uses.

As it relates to the associated development plan, the proposed development includes enhanced landscaping and a wall to create a buffer between the site and adjacent residential uses to the north and west. Furthermore, ingress/egress to the site will occur only on SW 12th Avenue which also serves industrial uses to the east and south. Truck traffic will continue to be separated from the neighboring residential community and utilize a traffic pattern which does not directly impact nearby residential uses. Moreover, a traffic route that is isolated from non-industrial traffic potentially reduces overall transit time to and from the proposed industrial use.

The applicant has provided a narrative response to the criteria which is included in Exhibit 2. Staff concurs with applicant's assessment of the rezoning criteria.

Adequacy and Neighborhood Compatibility

The adequacy criteria of ULDR Section 47-52.2 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 service this project and the impact on capacity.

Specific to traffic impacts, in accordance with ULDR Section 47-25.2.M.4., Adequacy Requirements – Transportation Impact Studies, a traffic impact study is required when:

- a. The proposed development generates over one-thousand (1,000) daily trips; or
- b. When the daily trip generation is less than one thousand (1,000) trips; and (1) when more than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half ($\frac{1}{2}$) hour; or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half ($\frac{1}{2}$) hour period.

A traffic generation statement, dated February 8, 2017 and prepared by Tinter Traffic, LLC was conducted for the proposal and concluded the following:

This site has been evaluated both as it previously existed as a school site and as proposed for a use as a warehouse. It is estimated that the total amount of traffic generated by the proposed development (without consideration of the credit for the traffic generated by the elementary school) is not expected to approach the 1,000 vpm threshold, nor is the 20% criteria approached. Therefore, no further traffic impact analysis is required. The traffic statement is attached as Exhibit 6.

At time of site plan submittal, the applicant will follow the City's ULDR, including Section 47-25.2, Neighborhood Compatibility, and will be required to include a landscape buffer and a wall along those property lines abutting residential uses. In order to direct traffic

away from adjacent residential uses to the north, northeast, and west, the applicant indicated in the proposed concept site plan ingress and egress to the site will be restricted to SW 12th Avenue.

Comprehensive Plan Consistency:

The proposed rezoning is generally consistent with the City's Comprehensive Plan Goals, Objectives and Policies and proposed Industrial Use land use category. Because the site is in close vicinity to Interstate Highway I-95, Interstate Highway I-595, the Fort Lauderdale Hollywood International Airport and Port Everglades, the proposed rezoning furthers Future Land Use Element Policy 1.31.1 regarding locating future industrial uses near major transportation facilities including highways, airports and seaports.

As it relates to the proximity of the site to adjacent residential uses, Future Land Use Element Policy 1.20.2 states that non-residential uses shall be planned with setbacks, buffer landscaping and traffic patterns leading away from residential areas when non-residential uses are adjacent to residential areas. Policy 1.20.3 states that acceptable industrial land uses, when located near residential areas, shall be buffered from existing and proposed residential areas by setbacks, landscaping, and/or fencing to ensure compatibility.

These provisions are being assessed and applied through the Development Review Committee process to the submitted site plan application and in accordance with ULDR Section 47-24.3 Conditional Use permit requirements for any industrial use within 300 feet of residential property and Section 47-25.3 Neighborhood Compatibility. The neighborhood compatibility criteria of ULDR Section 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 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".

Public Participation

The rezoning request is subject to the public participation requirements established in ULDR Sec. 47-27.4. The applicant held a public participation meeting on May 3, 2017 providing the neighborhood association located adjacent to the site an opportunity to learn about the proposed project. The public participation summary and affidavits are provided as Exhibit 7. A letter of support from the Edgewood Civic Association for the proposed development is included as Exhibit 8.

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 January 17th PZB meeting. Complete 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 Business Development Cylinder of Excellence, specifically advancing:

- Goal 7: 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 – Application, Narrative Responses and Sketch and Legal Description

Exhibit 3 – Proposed Concept Site Plan

Exhibit 4 – PZB Staff Report

Exhibit 5 – PZB Draft Meeting Minutes January 17, 2018

Exhibit 6 – Traffic Statement

Exhibit 7 – Summary of Public Participation Meeting

Exhibit 8 – Edgewood Civic Association Letter of Support

Exhibit 9 – Ordinance

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