



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

18-1289

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

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

DATE: December 4, 2018

TITLE: Quasi-Judicial Ordinance - Rezoning from Mobile Home Park (MHP) to Residential Multifamily Mid Rise/ Medium High Density (RMM-25) - Clarkson-Bergman Family Partnership, LTD - 400 SW 27th Avenue - Case No. Z18007

Recommendation

It is recommended that the City Commission adopt an ordinance rezoning the site located at 400 SW 27th Avenue from Mobile Home Park (MHP) to Residential Multifamily Mid Rise/ Medium High Density (RMM-25).

Background

The applicant, Clarkson-Bergman Family Partnership, LTD, is requesting to rezone approximately 11.2 acres of land located at 400 SW 27th Avenue from Mobile Home Park (MHP) to Residential Mid Rise Multifamily/Medium High Density District (RMM-25) to allow for a proposed 276 unit multifamily residential development called "Pearl Riverland". The site plan, Case No. R18043, was reviewed by the Development Review Committee (DRC) at the June 26, 2018 DRC meeting as a site plan level II and is currently under DRC review. A conceptual site plan is attached as Exhibit 1. Pursuant to criteria outlined in the Unified Land Development Regulations (ULDR), Sections 47-24.4.D, Rezoning, and Section 47-25.2, Adequacy Requirements, the rezoning request was reviewed by the Planning and Zoning Board (PZB) on September 17, 2018, and recommended for approval by a vote of 7-1. The location map, zoning district map, and sketch and legal description is attached as Exhibit 2. The rezoning application and applicant's narratives are provided as Exhibit 3. The PZB staff report and meeting minutes are attached as Exhibit 4 and Exhibit 5, respectively.

Below is a comparison table of the permitted use categories in the existing and proposed zoning districts. A detailed list of permitted uses for each zoning district is provided as Exhibit 6.

Table 1 – Comparison Table of Uses

Existing Zoning District	Proposed Zoning District
MHP (Mobile Home Park)	RMM-25 (Residential Multifamily Mid Rise/ Medium High Density)
Residential Dwellings	Residential Uses
Public Purpose Facilities	Lodging
Urban Agriculture	Mixed Use Development
	Public Purpose Facilities
	Child Day Care Facilities
	Nursing Home Facilities
	Accessory Uses, Buildings and Structures
	Urban Agriculture

The property is currently the site of the Sunset Mobile Home Park which consists of approximately 110 mobile homes. In accordance with Section 723.083, Florida Statutes, concerning government action affecting removal of mobile home owners, no agency of municipal, local, county, or state government shall approve any application for rezoning, or take any other official action, which would result in the removal or relocation of mobile home owners residing in a mobile home park without first determining that adequate mobile home parks or other suitable facilities exist for the relocation of the mobile home owners.

A Housing Study prepared by The Urban Group, dated July 18, 2018, which analyzes the availability of mobile home parks or other suitable facilities for the relocation of mobile home owners is attached as Exhibit 7. The study established that there are adequate existing housing resources for the relocation of mobile home owners at Sunset Colony, including: available vacant lease lots, mobile homes for rent and for sale, and conventional housing for rent or for sale within the Tri-County area. In addition, the report indicates that many mobile home owners meet the eligible criteria for mobile home moving expenses under the provisions of the Florida Mobile Home Relocation Corporation (FMHRC). Based on the information provided in the report staff concurs that there are sufficient existing housing opportunities to provide replacement housing for the mobile home occupants residing in Sunset Colony Mobile Home Park.

Review Criteria

As per Section 47-24.4.D 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, RMM-25, is consistent with the City's Comprehensive Plan in that residential uses are permitted within the Medium-High designation and is limited to 25 dwelling units per acre. In addition, the surrounding properties are designated Medium-High and Commercial to the west, Commercial to the north and, and Low-Medium to the east. Therefore, the rezoning is compatible with the surrounding zoning categories.

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

The area in which this property is located is characterized by a mixture of retail, commercial, residential, and community facility uses. The property immediately to the north was recently constructed with a regional shopping center consisting of a Walmart Supercenter and other retail and restaurant uses. There is a strong presence of retail and residential uses in this area, which make this an ideal site for multifamily residential uses. The proposed zoning district for the property is compatible with the commercial and residential zoning districts which surround the property and the re-development of the property for residential uses will contribute to and support the retail uses 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.

The surrounding properties have a land use designation of Low-Medium, Medium-High, and Commercial with a variety of zoning classifications of RS-8, RMM-25, B-2, and CB. Existing adjacent uses include existing single family located to the east, multifamily residential and commercial uses to the west, church to south, and commercial uses to the north. The proposed rezoning does not introduce a new use into this neighborhood, as the existing zoning to the west allows for multifamily residential developments.

Comprehensive Plan Consistency

The proposed use is generally consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.18, which encourages utilization of standards for residential properties along major thoroughfares, as necessary, to encourage higher densities, which will in turn serve as a buffer between major roadways and low-density neighborhoods and support use of public transit.

The City's Future Land Use Map indicates that the property has a land use designation of Medium-High Density Residential, with maximum density of 25 units per acre. The proposed rezoning and associated uses are consistent with the underlying land use.

Public Participation

The rezoning request 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 September 6, 2018, to offer the neighborhood surrounding the property the opportunity to learn about the proposed project.

In addition, this request is subject to sign notification requirements established in ULDR, Section 47-27.4. The applicant has installed a total of 2 signs on the property and has submitted a sign affidavit indicating proper sign notification was provided. The public participation summary and sign notification information are attached as Exhibit 8.

In addition, and in accordance with Florida Statute Chapter 723.081, notice of application for change in zoning, Section 723.081, the mobile home park owner shall notify in writing each mobile home owner or, if a homeowners' association has been established, the directors of the association, of any application for a change in zoning of the park within 5 days after the filing for such zoning change with the zoning authority. According to the Applicant, the aforementioned requirement has been addressed.

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 September 17, 2018 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 Neighborhood Enhancement Cylinder of Excellence, specifically advancing:

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

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

Attachments

Exhibit 1 - Conceptual Site Plan
Exhibit 2 - Location Map, Zoning District Map, and Sketch and Legal Description
Exhibit 3 - Application, Applicant's Narratives
Exhibit 4 - PZB Staff Report
Exhibit 5 - PZB Meeting Minutes from September 17, 2018
Exhibit 6 - List of Permitted Uses for Each Zoning District
Exhibit 7 - Housing Study, The Urban Group, July 18, 2018
Exhibit 8 - Public Participation Summary and Sign Notification Information
Exhibit 9 - Ordinance

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