



CITY OF FORT LAUDERDALE
Department of Sustainable Development
Urban Design & Planning Division
700 NW 19th Avenue
Fort Lauderdale, FL 33311
Telephone: (954) 828-3266
Fax (954) 828-5858
Website: http://www.fortlauderdale.gov/sustainable_dev/

PLANNING & ZONING BOARD (PZB)

Rezoning Application

(For a rezone only, not tied to a site plan and/or not requiring flexibility units or acreage.)

Cover: Deadline, Notes, and Fees
Page 1: Applicant Information Sheet
Page 2: Applicant Information Sheet, continued
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Page 4: Sign Notification Requirements & Affidavit

DEADLINE: Submittals must be received by 4:00 PM each business day. Pursuant to Section 47-24.1(1), the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via e-mail, if plans do not meet the submittal requirements and if changes are required.

NOTE: If your development site is separated by any public right-of-way (alley, alley reservation, or ROW easement) you must complete a separate application for each parcel.

NOTE: Optional 15-minute time slots are available during DRC meetings for scheduling to applicants, for general project inquiries or to obtain signatures on completed DRC plans (including Pre-Planning and Zoning Board, Pre- City Commission and Final DRC plans) from all representatives at one time in preference to scheduling individual appointments. Appointments are subject to availability. To make an appointment, please call 954-828-6531 latest by Friday at 12:00 noon prior to the meeting date.

FEES: All applications for development permits are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit.

____ Rezoning \$ 1,010.00

Page 1: PZB Rezone - Applicant Information Sheet

INSTRUCTIONS: The following information is requested pursuant to the City's Unified Land Development Regulations (ULDR). The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.

NOTE: To be filled out by Department

Case Number	
Date of complete submittal	

NOTE: For purpose of identification, the **PROPERTY OWNER** is the **APPLICANT**

Property Owner's Name	Mahyoub & Sons Inc.
Property Owner's Signature	If a signed agent letter is provided, no signature is required on the application by the owner.
Address, City, State, Zip	909 NW 6th Street, Fort Lauderdale, FL 33311
E-mail Address	eyal@fusegroupco.com
Phone Number	954-926-7500
Proof of Ownership	<input type="checkbox"/> Warranty Deed or <input checked="" type="checkbox"/> Tax Record

NOTE: If **AGENT** is to represent **OWNER**, notarized letter of consent is required

Applicant / Agent's Name	Holland & Knight Debbie Orshefsky
Applicant / Agent's Signature	
Address, City, State, Zip	515 East Las Olas Boulevard, Suite 1200, Fort Lauderdale, FL 33301
E-mail Address	debbie.orshefsky@hkclaw.com
Phone Number	954.468.7871
Letter of Consent Submitted	Yes

Development / Project Name	909 Sistrunk
Development / Project Address	<u>Existing:</u> 909 Sistrunk Boulevard <u>New:</u> 909 Sistrunk Boulevard
Legal Description	Lots 9 & 10 of June Park P.B. 22, P. 16 BCR, Less that portion for road right-of-way and that portion of the east 1/2 of the vacated alley adjacent to Lots 9 & 10
Tax ID Folio Numbers (For all parcels in development)	504204290100, 504204290090
Request / Description of Project	Rezone the property from RMM-25 to NWRAC-MUw for redevelopment
Applicable ULDR Sections	Sec. 47.13, Sec. 47.24.4 and Sec. 47.25
Total Estimated Cost of Project	\$ 15,000,000 (Including land costs)

Future Land Use Designation	Regional Activity Center
Proposed Land Use Designation	Regional Activity Center
Current Zoning Designation	RMM-25
Proposed Zoning Designation	NWRAC-MUw
Current Use of Property	Parking for Retail Business
Residential SF (and Type)	N/A
Number of Residential Units	N/A
Non-Residential SF (and Type)	N/A
Total Bldg. SF (include structured parking)	N/A
Site Adjacent to Waterway	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Dimensional Requirements	Required	Proposed
Lot Size (SF / Acreage)	5,000	N/A
Lot Density	25 DU/AC	None
Lot Width	50	N/A
Building Height (Feet / Levels)	55	45
Structure Length	200	N/A
Floor Area Ratio	N/A	N/A
Lot Coverage	N/A	N/A
Open Space	35%	N/A
Landscape Area	35%	N/A
Parking Spaces	1.75 /unit and up	60% of code

NOTE: State north, south, east or west for each yard.

Setbacks/Yards*	Required	Proposed
Front <input type="checkbox"/>	25	5
Side <input type="checkbox"/>	5	15
Side <input type="checkbox"/>	5	N/A
Rear <input type="checkbox"/>	20	15

APPLICANT MUST INDICATE:

Provide a narrative indicating satisfaction of the following:

1. *The zoning district proposed is consistent with the City's Comprehensive Plan.*

The property is located in the Northwest Regional Activity Center. Rezoning the property to NWRAC-MUw is consistent and compatible with the Future Land Use Map (FLUM) and abutting zoning to the south. Proper setbacks and landscaping will be provided abutting residential uses. The proposed rezoning and resulting development will be consistent and compatible the following Goals Objectives and Policies of the Fort Lauderdale Comprehensive Plan including Land Use Element GOAL 1, OBJECTIVE 1.7, OBJECTIVE 1.10, OBJECTIVE 1.21, and OBJECTIVE 1.32. The Goals, Objectives and Policies are fully described in the attached narrative.

2. *Substantial changes in the character of development in or near the area under consideration supports the proposed rezoning.*

The Northwest Regional Activity Center is experiencing rapid redevelopment. The property being rezoned combined with abutting property already zoned NWRAC-MUw will allow for a properly sized redevelopment parcel. The developer is proposing an indoor/outdoor gym and ground floor retail along with office space and structured parking. This project will compliment other redevelopment projects in the area and help activate the corner of Sistrunk Boulevard and Powerline Road. The rezoning and proposed project are consistent and complatible with the Northwest Regional Activity Center.

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.*

Redevelopment projects along the Sistrunk Boulevard corridor have been a priority of the city for decades. Approving the rezoning will allow for a redevelopment parcel large enough to activate both Sistrunk and Powerline Road. The project will meet the additional setback and screening requirements from nearby residentially zoned property. The proposed uses of a gym, retail and office are suitable to the mixed use character of the area. Providing new redevelopment opportunities in the area furthers the goals, objectives and policies of the City of Fort Lauderdale.

All applicable provisions of ULDR Sec. 47-9.20 (Rezoning) shall be satisfied.

- A. *Application.* Rezoning to an X district may only be initiated by application of the owner(s) of the property proposed to be rezoned and when the property to be rezoned will be used for business uses with the owner of the business property as co-applicant. The application shall include the following:
1. All information required for an application for a site plan level II permit pursuant to [Section 47-24](#), Development Permits and Procedures, and for a rezoning development permit.
 2. Identification of the permitted use or uses proposed for the property to be rezoned.

- 3. A general vicinity map consisting of an eight and one-half (8½) inch by eleven (11) inch street map at a scale of not less than one (1) inch equals five hundred (500) feet identifying the parcel proposed to be rezoned and, if business is proposed, the business property to which the exclusive use property is to be joined, and all lots located within a seven hundred (700) foot radius of the parcel to be rezoned. The map shall show existing zoning, all residential uses and the heights of all structures in the seven hundred (700) foot area.
- 4. An area map showing the parcel proposed for rezoning and all new, existing or proposed redevelopment. If the parcel to be rezoned exclusive use is to be used as a parking facility which will serve a particular use, the area map shall show all new, existing or proposed redevelopment on the site which the parking is intended to serve. If the parcel is to be used for a business use, the area map shall show the business property to which the property proposed for exclusive use will be joined.
- 5. A site plan for the proposed use which shows how the proposed use will meet the performance criteria provided herein including if applicable, elevations, surrounding commercial and residential areas, location and sizes of signs, location of landscaping and other buffers, and vehicular and pedestrian movement between the proposed parcel to be rezoned and the surrounding areas.
- 6. All studies required to be submitted as provided in this section

Additional property owners who wish to be included in the request, if applicable. Use additional sheets if necessary.				
Name and Signature	Folio Number	Subdivision	Block	Lot

Page 3: Required Documentation / Mail Notice Requirements

One (1) copy of the following documents:

- ☐ Completed application (all pages must be filled out where applicable)
- ☐ Mail notification documents
- ☐ Proof of ownership (warranty deed or tax record), including corporation documents if applicable
- ☐ Property owners signature and/or agent letter signed by the property owner
- ☐ Color photographs of the entire property and all surrounding properties, dated and labeled and identified as to orientation.
- ☐ One (1) electronic version of complete application and plans in PDF format

Two (2) original sets, signed and sealed, of Pre-PZB plans at 24" x 36"
Thirteen (13) copy sets, of Pre-PZB half-size scaled plans at 12" x 18"

- ☐ **Narrative** describing project request. Narratives must be on letterhead, dated, and with author indicated.
- ☐ **Narrative** quoting all applicable sections of the ULDR, with point-by-point responses of how project complies with such criteria. Narratives must be on letterhead, dated, and with author indicated.
- ☐ **Land Use and Zoning maps** indicating all properties within 700 ft. of the subject property. These should be obtained from Urban Design & Planning Division. Site should be highlighted or clearly marked to identify the parcel(s) under consideration on all sets.
- ☐ **Cover sheet** on plan set to state project name and table of contents.
- ☐ **Current survey(s)** of property, signed and sealed, showing existing conditions; survey must be As-Built and Topographic with Right-of-Way and Easement Vacations Excluded. The survey should consist of the proposed project site alone. Do not include adjacent properties or portions of lands not included in the proposed project unless specifically requested by the City.
- ☐ **Provide separate sketch and legal description of portion of property to be rezoned (if different than entire site).**
- ☐ Most **current recorded plat** including amendments, with site highlighted. This may be obtained from Broward County Public Records at 115 S. Andrews Ave. **Note: for Change of Use applications, this is not required.**
- ☐ **Aerial photo** indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.

Note: All copy sets must be clear and legible. If original set is in color, copy sets must also be in color.

Note: Plans must be bound, stapled and folded to 8 ½" x 11". All non-plan documents should be 8 ½" x 11" and stapled or bound.

Note: Civil Engineering plans are only required at Final-DRC sign-off. Contact DRC Engineering Representative for details.

Note: For examples of project narratives, site plan data tables, and renderings required with your application, please refer to the "Submittal Reference Book" available at the Planning & Zoning Department office.

Applicant's Affidavit I acknowledge that the Required Documentation and Technical Specifications of the application are met:	Staff Intake Review For Urban Design & Planning staff use only:
Print Name <u>Debbie M. Orskofsky</u>	Date _____
Signature <u>[Signature]</u>	Received By _____
Date <u>6/6/18</u>	Tech. Specs Reviewed By _____
	Case No. _____

MAIL NOTIFICATION

Notice shall be in the form provided by the department and mailed on the date the application is accepted by the department. The names and addresses of homeowner associations shall be those on file with the City Clerk).

- REQUIREMENT:** Mail notice of development proposal shall be provided to real property owners within 300 feet of applicant's property, as listed in the most recent ad valorem tax records of Broward County.
- TAX MAP:** Applicant shall provide a tax map of all property within the required notification radius, with each property clearly shown and delineated. Each property within the notice area must be numbered (by Folio ID) on the map to cross-reference with property owners notice list.
- PROPERTY OWNERS NOTICE LIST:** Applicant shall provide a property owners notice list with the names, property control numbers (Folio ID) and complete addresses for all property owners within the required notification radius. The list shall also include all homeowners associations, condominium associations, municipalities and counties, as indicated on the tax roll.
- ENVELOPES:** The applicant shall provide business size (#10) envelopes with first class postage attached (stamps only, metered mail will not be accepted). Envelopes must be addressed to all property owners within the required notification radius, and mailing addresses must be typed or labeled; no handwritten addresses will be accepted. Indicate the following as the return address on all envelopes: City of Fort Lauderdale, Urban Design & Planning, 700 NW 19th Avenue, Fort Lauderdale, FL 33311.

- **DISTRIBUTION:** The City of Fort Lauderdale, Urban Design & Planning will mail all notices prior to the public hearing meeting date, as outlined in Section 47-27.

Page 4: Sign Notification Requirements and Affidavit

SIGN NOTICE

Applicant must **POST SIGNS** (for Planning and Zoning Board and City Commission Hearings) according to Sec. 47-27.4.

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time and place shall be stated on the sign or changed as applicable.
- The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
- The sign shall be visible from adjacent rights-of-way, including waterways, but excepting alleys.
- If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
- If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
- Development applications for more than one (1) contiguous development site shall be required to have sign notice by posting one (1) sign in each geographic direction, (north, south, east and west) on the public right-of-way at the perimeter of the area under consideration.
- If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
- The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
- The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

AFFIDAVIT OF POSTING SIGNS

STATE OF FLORIDA
BROWARD COUNTY

RE: BOARD OF ADJUSTMENT
 HISTORIC PRESERVATION BOARD
 PLANNING AND ZONING BOARD
 CITY COMMISSION

CASE NO. _____

APPLICANT: _____

PROPERTY: _____

PUBLIC HEARING DATE: _____

BEFORE ME, the undersigned authority, personally appeared _____, who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above-cited City of Fort Lauderdale **Board or Commission** Case.
2. The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the Board or Commission.
3. That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least **fifteen (15)** days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.
4. Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the Board or Commission. **Should the application be continued, deferred or re-heard, the sign shall be amended to reflect the new dates.**
5. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning office **five (5)** calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
6. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefore.

Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this ____ day of _____, 200.

(SEAL)

NOTARY PUBLIC
MY COMMISSION EXPIRES:

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.3.i of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. _____ (initial here)

_____ Initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)