



**REQUEST:** Rezone 0.285 acres from Residential Midrise Multifamily/Medium-High Density District (RMM-25) to Northwest RAC Mixed-Use west District (NWRAC-MUw)

<b>Case Number</b>	Z18004
<b>Applicant</b>	Holland & Knight/Debbie Orshefsky
<b>General Location</b>	909 Sistrunk Boulevard
<b>Property Size</b>	27,514 sf (0.632 acres)
<b>Portion of Property to be Rezoned</b>	12,400 sf (0.285 acres)
<b>Current Zoning</b>	Residential Midrise Multifamily/Medium-High Density (RMM-25)
<b>Proposed Zoning</b>	Northwest RAC Mixed-Use west (NWRAC-MUw)
<b>Existing Use</b>	Parking for adjacent Retail
<b>Proposed Use</b>	Retail-Office-Parking-Open Space
<b>Future Land Use Designation</b>	Northwest Regional Activity Center (NW-RAC)
<b>Applicable ULDR Sections</b>	Section 47-24.4 Rezoning Criteria
<b>Notification Requirements</b>	Sec. 47-24.1 Public Participation Sec. 47-27.6 Sign Notice 15 days prior to meeting Sec. 47-27.6 Mail Notice (300 foot radius) 10 days prior to meeting
<b>Project Planner</b>	Randall Robinson, Planner III

**PROJECT DESCRIPTION:**

The applicant is requesting to rezone 0.285 acres of a 0.632 acre parcel of land located at 909 Sistrunk Boulevard from Residential Midrise Multifamily/Medium-High Density District (RMM-25) to Northwest RAC Mixed-Use west District (NWRAC-MUw) to unify the site under a consistent zoning designation in order to construct a 45-foot-high mixed-use building, including renovation of the existing one-story building on site. The Applicant will submit a corresponding Site Plan Level II (Development Review Committee) application for the proposed mixed use development should the proposed rezoning be approved.

A map indicating the zoning and location of the property is included as Exhibit 1. The sketch and legal description of the area proposed to be rezoned is included as Exhibit 2.

**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 property's future land use designation is Northwest Regional Activity Center which is consistent with the proposed zoning designation. Please refer to the Comprehensive Plan Consistency section within this report for additional information.

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

The property's future land use designation of Northwest Regional Activity Center encourages mixed-use projects along main corridors such as Sistrunk Boulevard and Powerline Road, which is consistent with the proposed zoning designation. The Sistrunk Boulevard corridor is beginning to

undergo significant mixed-use redevelopment. The proposed rezoning will permit a mixed use project that will be consistent and compatible with the mixed-use nature of other projects in the area, as well as with the existing mix of uses along Sistrunk Boulevard and Powerline Road.

3. The character of the area surrounding the parcel proposed to be rezoned is compatible with the uses permitted in the proposed zoning district.

The rezoning of the property to NWRAC-MUw is compatible with the existing mix of land uses along Sistrunk Boulevard and Powerline Road. The property is surrounded by the following zoning districts:

North – RMM-25  
 South – NWRAC-MUw  
 West – RMM-25/NWRAC-MUw  
 East – NWRAC-MUw/CB

The proposed rezoning expands the NWRAC-MUw mixed-use zoning northward along Powerline Road, and does not intrude into the residential area to the north and west of the mixed use corridors. It would reinforce the 'main street' character of Sistrunk Boulevard that serves the adjacent residentially-zoned areas. In order to assure that mixed-use development of the parcel is compatible with the adjacent residential area, the development will be required to meet ULDR setback and screening requirements that would provide buffer between it and abutting residentially-zoned property. Per ULDR requirements, setbacks and landscaping requirements will also be applied abutting residential uses during the development review process.

Though the RMM-25 and NWRAC-MUw districts are clearly different, as detailed in the table below, the Sistrunk Boulevard and Powerline Road corridors are currently comprised of a mix of uses, thus rezoning the RMM-25 portion of the parcel to NWRAC-MUw will not represent a change in the character. Nor will the rezoning change the area pattern of mixed-use corridors with immediately adjacent residential areas. To protect existing residential areas from adjacent development, building articulation, buffer and setback provisions as provided for in the NWRAC-MUw zoning designation will be assessed and applied through the Development Review Committee process to site plan application.

Please refer to Table 1 below for a comparison of permitted uses in each district. For a detailed list of uses, refer to ULDR Section 47-5.19. - List of Permitted and Conditional Uses; RMM-25 Residential Mid Rise Multifamily/Medium High Density District and ULDR Section 47-13.10. - List of Permitted and Conditional Uses; Northwest Regional Activity Center-Mixed Use west (NWRAC-MUw). Table 2 below includes a comparison table of key dimensional requirements.

**Table 1 – Comparison of Uses**

Existing Zoning Districts		Proposed Zoning District
NWRAC-MUw	RMM-25	NWRAC-MUw
Automotive	Single Family Dwelling	Automotive
Boats, Watercraft and Marinas	Single Family Dwelling, Attached: Cluster Dwellings,	Boats, Watercraft and Marinas
Commercial Recreation	Existing Single Family Dwelling: Zero-lot-line.	Commercial Recreation
Food and Beverage Service	Single Family Dwelling, Attached: Duplex/Two (2) Family/Dwelling,	Food and Beverage Service
Lodging	Single Family Dwelling, Attached: Townhouses,	Lodging
Mixed Use Developments	Multifamily Dwelling: Coach Home,	Mixed Use Developments



Public Purpose Facilities	Multifamily use.	Public Purpose Facilities
Retail Sales	Community Residence, 3 residents maximum.	Retail Sales
Services/ Office Facilities	Community Residence, 4 to 10 residents; 1,000' distance separation	Services/ Office Facilities
Accessory Uses, Buildings and Structures	Urban Agriculture	Accessory Uses, Buildings and Structures
Urban Agriculture	Existing Multifamily Dwelling	Urban Agriculture
	Active and Passive Park	
	Social Service Residential Facility, Level I,	
	Family Day Care Home	
	Accessory Uses, Buildings and Structures	

**Table 2 – Comparison of Dimensional Requirements**

<b>Requirement</b>	<b>Existing Zoning District</b> <b>RMM-25</b> <i>Residential Midrise Multifamily/Medium-High Density</i>	<b>Proposed Zoning District</b> <b>NWRAC-MUw</b> <i>Northwest RAC Mixed-Use west</i>
<b>Building Height</b>	35 to 55 feet	45 feet
<b>Building Length</b>	200 feet	n/a
<b>Front Setbacks</b>	25 feet	none
<b>Rear Setback</b>	20 feet	15-feet when abutting residential
<b>Side Setback</b>	10 to 20 feet	15-feet when abutting residential
<b>Lot Size</b>	4000 to 10,000 square feet	n/a
<b>Landscape Area</b>	Minimum of 35% of the gross lot square footage	n/a

**COMPREHENSIVE PLAN CONSISTENCY:**

The property's future land use designation is Northwest Regional Activity Center which is consistent with the proposed zoning designation. The southern portion of the parcel has a NWRAC-MUw zoning designation and the northern portion has a RMM-25 zoning designation. The Applicant is seeking the rezoning in order for the entire development parcel to have a unified NWRAC-MUw designation. Since the RMM-25 zoning district is limited to residential uses, the northern portion of the site will be rezoned to allow for the intended mixed-use development supported by the Northwest Regional Activity Center land use designation. Rezoning the property to NWRAC-MUw is also consistent and compatible with the future land use map and abutting zoning to the south.

The proposed rezone is generally consistent with the City's Goals, Objectives and Policies of the Northwest Regional Activity Center land use category. More specifically, 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. Objective 1.10 of the Comprehensive Plan encourages redevelopment and the expansion of employment opportunities in the Northwest Regional Activity Center and POLICY 1.8.3 which encourages mixed-use projects and implementation of the City's streetscape design and urban enhancements for Sistrunk Boulevard and within close proximity to this corridor along Powerline Road.

**PUBLIC PARTICIPATION**

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The rezoning request is subject to the public participation requirements established under Section 47-24.1.F.14 of the ULDR. According to the applicant, a public participation meeting was held on July 12, 2018, to offer the neighborhood and surrounding properties the opportunity to learn about the proposed rezoning. The public participation meeting summary and affidavit are attached as Exhibit 4.

In addition, this request was subject to sign notification requirements established in ULDR, Section 47-27.4. The Applicant received and posted all three (3) signs and has met the requirements of Section.

**STAFF FINDINGS:**

Staff recommends the Board approve this request, consistent with:

ULDR, Section 47-24.4, Rezoning Criteria

The applicant's narrative responses to all criteria are included as part of Exhibit 3 to help the Board assess how the project addresses applicable 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 47-26.B, Appeals.

**EXHIBITS:**

1. Location / Zoning Map
2. Sketch and Legal Description
3. Applicant's Narrative Responses
4. Public Participation Meeting Summary and Affidavit