

ORDINANCE NO. C-20-30

AN ORDINANCE AMENDING SECTION 47-1.6.B OF THE CITY OF FORT LAUDERDALE, FLORIDA UNIFIED LAND DEVELOPMENT REGULATIONS THROUGH THE REVISION OF THE OFFICIAL ZONING MAP OF CITY OF FORT LAUDERDALE AND SCHEDULE "A" REVISED COMPILATION ATTACHED THERETO AND BY REFERENCE MADE A PART THEREOF, SO AS TO REZONE FROM "RMM-25 - RESIDENTIAL MULTI-FAMILY MID RISE/MEDIUM HIGH DENSITY" TO "X-P - PARKING LOT", THROUGH THE ALLOCATION OF COMMERCIAL FLEXIBILITY, LOTS 7 AND 8, BLOCK 21, "COLEE HAMMOCK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 17, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF SOUTHEAST 12TH AVENUE, NORTH OF EAST LAS OLAS BOULEVARD, EAST OF SOUTHEAST 10TH TERRACE AND SOUTH OF SOUTHEAST 2ND COURT, ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicants, 800 Las Olas, LLC and Mustang Properties, Inc., applied for the rezoning of certain property as more particularly described in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, in accordance with the City of Fort Lauderdale, Florida Unified Land Development Regulations ("ULDR"), rezoning to an "X-P" District requires the allocation of commercial flexibility and approval of a site plan which meets the criteria provided in the ULDR; and

WHEREAS, the site plan submitted as part of the rezoning application proposes the development of a surface parking lot; and

WHEREAS, on June 15, 2020, the Planning and Zoning Board (PZ Case No. PLN-REZ-20010001) did recommend to the City Commission of the City of Fort Lauderdale ("City Commission") that certain lands herein described should be rezoned in the respects mentioned and that the Official Zoning Map and Schedule "A" attached thereto should be amended to include such lands; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, September 1, 2020, at 6:00 P.M., and Tuesday, September 15, 2020 at 6:00 P.M., in the City Commission Room, City Hall, Fort Lauderdale, Florida, for the purpose of hearing any public comment to such rezoning; and

WHEREAS, such public hearing was duly held at the time and place designated after notice of same was given by publication as required by law, and the City Commission determined that the requested rezoning met the criteria for amending the zoning regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. The City Commission finds that the application for rezoning meets the criteria of Section 47-24.4 of the ULDR as enunciated and memorialized in the minutes of its meeting of September 1, 2020, and September 15, 2020, a portion of those findings expressly listed as follows:

1. The property is not zoned RS-4.4, RS-8 or RC-15.
2. The property is located in an area with available commercial flexibility acreage.
3. The property is contiguous to another property that was granted commercial flexibility (the property 20' to the east of the Property was rezoned to Business with Optional Residential Units District (X-B-OR)). Although the Property and the property to the east are properties under separate ownership, they would be less than 10 acres if combined.
4. The property has a future land use designation of Medium-High Residential.
5. The property is separated by a 10-foot alley right-of-way from business property which has a front yard abutting East Las Olas Boulevard.
6. The property and the business property fronting East Las Olas Boulevard are separated by a ten-foot alley, and 100% of the proposed XP parcel is parallel to the property line of the business property for a distance of 100'.
7. The property extends approximately 110 feet into a residentially zoned district.
8. The application that accompanies this narrative is being submitted by the owner of the property.
9. The property is not proposed to be used as a business use as provided in Section 47-9.10.
10. The Property is currently zoned RMM-25 and has an underlying future land use designation of Medium-High Residential. A more detailed analysis of the consistency with the City's Comprehensive Plan is located in the Comprehensive Consistency section contained herein.

11. The anticipated changes of the proposed XP zoning district will be minor because the anticipated changes are compatible with the development in and around the area. The properties to the west and east of the property has existing X-Exclusive Use zoning districts. The properties to the north of the properties are zoned RMM-25 and Boulevard Business (B-1) to the south. The proposed XP zoning district to construct a surface parking lot will not adversely impact the character of development in or near the area under consideration because the change will support the character of development which are businesses fronting East Las Olas Boulevard by providing parking for patrons.
12. The proposed XP zoning only permits a parking lot use. The character of the area is suitable for the proposed surface parking lot because parking lots are a common use for the properties south of SE 2nd Court.

SECTION 2. That the City of Fort Lauderdale ULDR together with the Official Zoning Map of the City of Fort Lauderdale and revised Schedule "A", describing the lands lying within each zoning district, as approved on June 18, 1997, and described in Section 47-1.6 of the ULDR, be amended by rezoning from "RMM-25 – Residential Multi-family Mid Rise/Medium High Density" to "X-P – Parking Lot", through the allocation of commercial flexibility, the following lands, situated in the City of Fort Lauderdale, Broward County, Florida, to wit:

LOTS 7 AND 8, BLOCK 21, "COLEE HAMMOCK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 17, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

Location: West of Southeast 12th Avenue, north of East Las Olas Boulevard, east of Southeast 10th Terrace and south of Southeast 2nd Court

More specifically described in Exhibit "A" attached hereto and made a part hereof.

SECTION 3. That the appropriate City officials of the City of Fort Lauderdale shall indicate such zoning upon a copy of the Official Zoning Map, and shall indicate an amendment of Schedule "A" accordingly, upon the records with proper reference to this ordinance and date of passage.

SECTION 4. That in accordance with Section 47-9, X – Exclusive Use District of the ULDR, the site plan included as part of Exhibit 3 to Commission Agenda Memorandum No. 20-0590 is hereby approved

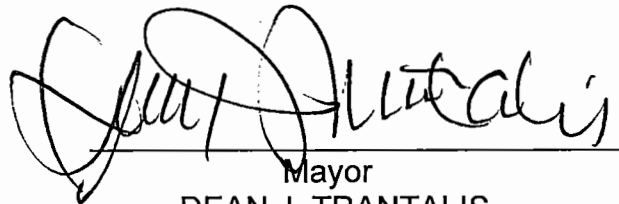
SECTION 5. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 6. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 7. That this Ordinance shall be in full force and effect ten (10) days from the date of final passage.

PASSED FIRST READING this 1st day of September, 2020.

PASSED SECOND READING this 15th day of September, 2020.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
JEFFREY A. MODARELLI

M.D.O.K.

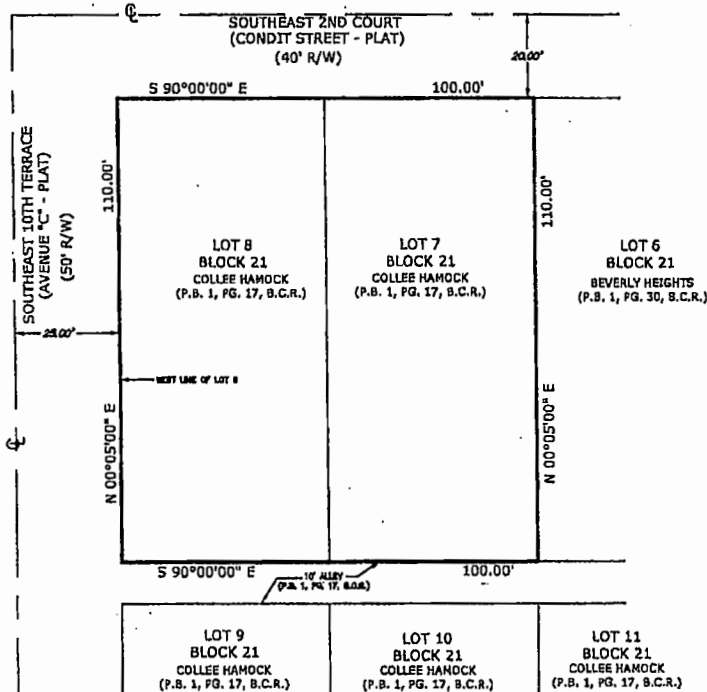
SKETCH AND DESCRIPTION

To accompany Rezoning from "RMM-25" to "X-P"

LEGAL DESCRIPTION:

Lots 7 and 8, Block 21, COLEE HAMMOCK, according to the Plat thereof, as recorded in Plat Book 1, Page 17 of the Public Records of Broward County, Florida.

Said lands situate lying and being in the City of Fort Lauderdale, Broward County, Florida. Containing 11,000 square feet more or less.



NOTES:

- 1) Bearings shown hereon are based on the West line of Lot 8, Block 21 with an assumed bearing North 00°05'00" East.
- 2) This Sketch and Description is not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper.
- 3) ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD, RECORDED AND VISIBLE AFFECTING THE HEREON DESCRIBED PROPERTY ARE SHOWN PER THE COMMITMENT FOR TITLE INSURANCE, FILE NO. 2037-3580935, EFFECTIVE DATE JUNE 17, 2016 AT 8:00 AM. AND PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY AND THE PLAT OF COLEE HAMMOCK, AS RECORDED IN PLAT BOOK 1, PAGE 17, AS RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

THIS IS NOT A SKETCH OF SURVEY

SHEET 1 OF 1

REVISIONS	DATE	BY	CKD

**LOTS 7 & 8
BLOCK 21**

Theodore David
2020.05.05
16:06:56 -04'00'

THEODORE J. DAVID FOR THE FIRM
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 5821
DAVID & GERCHAR, INC. LB#6935

SCALE: 1" = 40'

FB/PG: N/A

DRAWN BY: RRM

CKD. BY: TD

JOB NO: 16-022 7&8

CAD. FILE: F:\dwg\16-jobs\16-022\lots 7 & 8.dwg

DATE: 4/24/2020

PROJ. FILE: 16-022

DAVID & GERCHAR,
SURVEYORS AND MAPPERS

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