



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

#20-0920

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

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: November 17, 2020

TITLE: Second Reading – Quasi-Judicial Ordinance Approving a Rezoning from Residential Multifamily High Rise/High Density (RMH-60) District to Community Business (CB) District through the Allocation of Commercial Flexibility and Associated Site Plan Approval for 28,795 Square-Foot Supermarket – Preste Corporation, Royal Quality Homes, LLC., and Ocean Reef Investments, LLC. – Case No. PLN-SITE-19110004 – **(Commission District 2)**

Recommendation

Staff recommends the City Commission consider an ordinance rezoning 0.52-acres of land legally described as Lot 90, Block 1, Lauderdale Beach, according to the plat thereof recorded in Plat Book 4, Page 2, together with Lot 2, Block 23, Lauderdale Beach Extension, according to the plat thereof recorded in Plat Book 29, Page 22, of public records of Broward County, Florida, from Residential Multifamily High Rise/High Density (RMH-60) District to Community Business (CB) District through the allocation of commercial flexibility and approving a site plan for a 28,795 Square-Foot Supermarket.

Background

The combined applicant, Preste Corporation, Royal Quality Homes, LLC., and Ocean Reef Investments, LLC., is proposing to redevelop several parcels of land located at 2985 N. Ocean Boulevard to develop a Publix Supermarket. The subject property is located at the southwest corner of Ocean Boulevard and NE 30th Street and contains an existing office building and surface parking. The proposed development includes a 28,795 square-foot supermarket with roof top parking. A location map is attached as Exhibit 1.

The applicant is requesting to rezone a 0.52-acre portion of the subject property from RMH-60 to a CB, as the remaining portion of the property is already zoned CB. The underlying land use designation of those parcels are “High 60 Residential” requiring the allocation of commercial flexibility in order to permit the rezoning. The conditions for the allocation of commercial flexibility pursuant to Section 47-28.1.G.1 are as follows:

- Rezoning of the development site to community business (CB) only, or to exclusive use (X-Use); and

- No more than five percent (5%) of the total area within a flexibility zone which is designated residential on the city's plan, may be rezoned to CB or X-Use; and
- The parcel proposed for CB or X-Use use shall not be greater than ten (10) contiguous acres;
- Additional Criteria:
 - Demonstration that the use of commercial flex acreage supports and implements the specific goals, objectives and policies of the City's Land Use Plan (LUP).
 - Rezoning application in accordance with Sec. 47-24.2, Development Permits and Procedures.
 - Site plan approval level III in accordance with Sec. 47-24.2, Development Permits and Procedures.

In addition, pursuant to the Unified Land Development Code (ULDR) Section 47-24.4, the request to rezone the property is subject to the following criteria:

- The zoning district proposed is consistent with the City's Comprehensive Plan.
- The changes anticipated by the proposed rezoning will not adversely impact the character of development in or near the area under consideration.
- 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 sketch and legal description of the area to be rezoned is attached as Exhibit 2. The application, site plan, proof of ownership, and project narratives are attached as Exhibit 3. The applicant's response to the applicable criteria, as stated above, can be found in the project narratives in Exhibit 3.

The Planning and Zoning Board (PZB) reviewed the application on September 16, 2020, and recommended approval by a vote of 9-0 subject to staff conditions. The September 16, 2020 PZB draft meeting minutes are attached as Exhibit 4. The September 16, 2020 PZB staff report is attached as Exhibit 5 and contains a detailed summary of the project including staff's analysis of the applicable rezoning criteria, and conditions of approval. The exhibits, presented to the PZB, are identified below and include:

- Water and Sewer Capacity Letter (Exhibit 6)
- Traffic Study Executive Summary, KBP Consultants, Inc., July 2020 (Exhibit 7)
- Transportation and Mobility Department Approval Letter (Exhibit 8)
- Public Participation Meeting Summary and Affidavit (Exhibit 9)
- Public Sign Notice and Affidavit (Exhibit 10)

The City Commission shall hold a public hearing to consider the application and the record and recommendations forwarded by staff, and the planning and zoning board shall hear public comment on the application to determine whether the request meets the criteria for rezoning.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item supports the Press Play Fort Lauderdale Strategic Plan 2024, specifically advancing:

- The Business Development Focus Area
- Goal 5: Build an attractive global and local economic community marketplace.
- Objective: Nurture and support existing local businesses

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

Attachments

Exhibit 1 – Location Map

Exhibit 2 – Sketch and Legal Description of the Area to be Rezoned

Exhibit 3 – Application, Site Plan, Proof of Ownership, and Project Narratives

Exhibit 4 – September 16, 2020 PZB Draft Meeting Minutes

Exhibit 5 – September 16, 2020 PZB Staff Report

Exhibit 6 – Water and Sewer Capacity Letter

Exhibit 7 – Traffic Study Executive Summary, KBP Consultants, Inc., July 2020

Exhibit 8 – Transportation and Mobility Department Approval Letter

Exhibit 9 – Public Participation Meeting Summary and Affidavit

Exhibit 10 – Public Sign Notice and Affidavit

Exhibit 11 – Ordinance

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