



**REQUEST:** Rezone 4.60 acres of land from Regional Activity Center - West Mixed Use (RAC-WMU) to Regional Activity Center - City Center (RAC-CC) District

<b>Case Number</b>	UDP-Z20001	
<b>Property Owner/Applicant</b>	FTL/AD General, LLC.	
<b>Agent</b>	Stephanie J. Toothaker, Esq.	
<b>General Location</b>	South of W Broward Boulevard, north of SW 2 <sup>nd</sup> Street, east of SW 4 <sup>th</sup> Avenue and west of SW 2 <sup>nd</sup> Avenue	
<b>Property Size</b>	200,326.94 square feet / 4.60 acres	
<b>Current Zoning</b>	Regional Activity Center-West Mixed Use (RAC-WMU)	
<b>Proposed Zoning</b>	Regional Activity Center-City Center (RAC-CC)	
<b>Existing Use</b>	Office Building and Parking Lots	
<b>Proposed Use</b>	Mixed Use Development	
<b>Future Land Use Designation</b>	Downtown Regional Activity Center (D-RAC)	
<b>Applicable Unified Land Development Regulations (ULDR) Sections</b>	Section 47-24.4, Rezoning Criteria	
<b>Notification Requirements</b>	Section 47-24.1, Public Participation Section 47-27.5, Sign Notice Section 47-27.5, Mail Notice (300-foot radius) 10 days prior to meeting	
<b>Action Required</b>	Recommend Approval, Recommend Rezoning to a More Restrictive Zoning District, or Deny	
<b>Project Planner</b>	Nicholas Kalargyros, Urban Planner	<i>NJK ER</i>

**PROJECT DESCRIPTION:**

The applicant, FTL/AD General, LLC., is requesting to rezone 4.60 acres of land located south of W Broward Boulevard, north of SW 2<sup>nd</sup> Street, east of SW 4<sup>th</sup> Avenue and west of SW 2<sup>nd</sup> Avenue from Regional Activity Center - West Mixed Use (RAC-WMU) District to Regional Activity Center - City Center (RAC-CC) District, in preparation for a future mixed use development on the subject site. A location and zoning map are included as **Exhibit 1**. A sketch and legal descriptions of the subject parcels are included as **Exhibit 2**.

**REVIEW CRITERIA:**

Pursuant to the City's Unified Land Development Regulations (ULDR), Section 47-24.4.D, 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 subject parcels have an underlying land use designation of Downtown Regional Activity Center which is consistent with the proposed zoning designation. Please refer to the Comprehensive Plan Consistency section herein for additional analysis.

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

The Regional Activity Center-City Center zoning district is the city's high-intensity downtown zoning district, and accommodates a wide range of employment, shopping, service, cultural, higher density residential and other more intense land uses. The current character of the Broward Boulevard corridor is made up of a mix of uses including high intensity commercial

uses, as well as downtown residential housing. On November 5, 2020, the City Commission approved a change to the Downtown Character Area boundaries which changed the Character Area from “Near Downtown” to “Downtown Core” on subject parcels. The rezoning request of the subject parcels to Regional Activity Center-City Center will further support the prospective urban development pattern by extending the mixture of density, intensity and uses westward to be consistent with the newly expanded “Downtown Core” Character Area. Rezoning the subject parcels to Regional Activity Center-City Center will provide overall unity as a continuation of the Regional Activity Center-City Center district. in the project design and to ensure consistency with the City’s Downtown Master Plan Design Standards, project design will be reviewed at the time of site plan submittal

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 proposed rezoning will permit a variety of uses that will be consistent and compatible with the surrounding neighborhood. The Broward Boulevard corridor is currently comprised of a mix of uses, thus rezoning will not negatively affect the character of the area and will further support the Downtown Core Character Area of a mixed-use corridor envisioned for the area.

Properties to the south of the subject parcels are zoned Regional Activity Center – Arts and Science (RAC-AS) District, properties to the north and west are zoned Regional Activity Center – West Mixed Use (RAC-WMU) District and properties to the east are zoned RAC-CC. The proposed rezoning expands the RAC-CC mixed use zoning westward along W Broward Boulevard and will permit a variety of uses permitted within this zoning district.

The rezoning of the subject area to RAC-CC is compatible given the underlying land use designation of Downtown Regional Activity Center and corresponding Downtown Core Character Area. Additionally, the subject area is in the City’s Transit Oriented Development (TOD) Station Area, specifically within the Transit Core ¼ mile area surrounding the Brightline transit station, which encourages a high mixture of uses as well as a mixture of density and intensity which is consistent with the surrounding districts and uses and would therefore support a rezoning to the RAC-CC which is the City’s high-intensity downtown zoning district.

Table 1 below provides a comparison of permitted uses in the current and proposed zoning districts. Each category of uses remains the same between the Regional Activity Center-West Mixed Use and Regional Activity Center-City Center. For a detailed list of uses, refer to ULDR Section 47-13.10, List of Permitted and Conditional Uses; Regional Activity Center-West Mixed Use (RAC-WMU) District and ULDR Section 47-13.10, List of Permitted RAC-CC Uses.

**Table 1 – Comparison of Permitted Uses**

<b>Regional Activity Center - West Mixed Use</b>	<b>Regional Activity Center - City Center</b>
Automotive	Automotive
Boats, Watercraft and Marinas	Boats, Watercraft and Marinas
Commercial Recreation	Commercial Recreation
Food and Beverage Service	Food and Beverage Service
Lodging	Lodging
Manufacturing	Manufacturing
Public Purpose Facilities	Public Purpose Facilities
Residential Uses	Residential Uses
Retail Sales	Retail Sales
Services/ Office Facilities	Services/ Office Facilities
Storage Facilities	Storage Facilities
Accessory Uses, Buildings and Structures	Accessory Uses, Buildings and Structures
Urban Agriculture	Urban Agriculture

In addition, pursuant to ULDR Section 47-13.20.B, future developments are required to meet the Downtown Master Plan Standards, which include but are not limited to building orientation, architectural requirements, open space, vehicular and pedestrian access. Additional standards for parking facilities, landscaping, signage, and streetscapes will also be applied during the development review process at the time of site plan application.

**COMPREHENSIVE PLAN CONSISTENCY:**

The proposed rezoning is consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.21, Encouraging Mixed Use Development To Enhance The Livability Of The City; Objective 1.22, Encouraging High Quality Development Through The Use Of Design Criteria; and Objective 1.32, Guiding Growth To Discourage Sprawl And Encourage Transit.

The City's Future Land Use Map indicates that the subject parcels have a Regional Activity Center Land Use Designation. More specifically, the Downtown Regional Activity Center Land Use Designation, which is intended to encourage redevelopment and expansion of employment and housing opportunities within the area. The proposed rezoning meets the intent of the Downtown Regional Activity Center land use designation.

**PUBLIC PARTICIPATION**

The rezoning request is subject to the public participation requirements established in ULDR Section 47-24.1.F.14 of the ULDR. Due to the ongoing COVID-19 pandemic, the applicant held a virtual public participation meeting on November 16, 2020, to offer the Sailboat Bend, Progresso Village, Downtown Fort Lauderdale, Flagler Village Civic Associations, and surrounding neighborhoods and 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 47-27.5. The applicant has installed four signs and has submitted a sign affidavit indicating proper sign notification was provided. The affidavit and photographs of the posted signs are provided as **Exhibit 5**.

**PLANNING & ZONING BOARD REVIEW OPTIONS:**

The Planning and Zoning Board shall consider the application and make a determination based on the following criteria in ULDR Section 47-24.4, Rezoning Criteria.

If the Planning and Zoning Board determines the application meets 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 criteria for the rezoning and if consented to by 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 ULDR Section 47-26.B, Appeals.

The applicant has submitted narratives outlining how the rezoning complies with the applicable section of the ULDR as described herein and is attached as Exhibit 3, to assist the Board in determining if the proposal meets the criteria.

**EXHIBITS:**

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