



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

#21-0547

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

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: June 1, 2021

TITLE: Second Reading – Quasi-Judicial Ordinance Approving a Rezoning from Residential Multifamily Low Rise/Medium-High Density District (RML-25) District to Community Business (CB) District with 0.227 Acres of Commercial Flex Allocation and Conditional Use for a Marina Sales and Service Facility – Len & Melody Renne – Case No. PLN-SITE-20060001 – **(Commission District 2)**

Recommendation

Staff recommends the City Commission consider an ordinance rezoning from Residential Multifamily Low Rise/Medium-High Density (RML-25) District to Community Business (CB) District with 0.227 Acres of Commercial Flex Allocation; and approving a site plan for Conditional Use for a Marina Sales and Service Facility.

Background

The applicant, Len & Melody Renne, is proposing to rezone the property located at 1500 W. Broward Boulevard from Residential Multifamily Low Rise/Medium-High Density (RML-25) District to Community Business (CB) District to allow for the expansion of an existing marina sales and service use located at 1500 W. Broward Boulevard. The property has an underlying future land use designation of Medium-High Residential on the Broward County Future Land Use Plan map. The proposed Community Business (CB) zoning is consistent with the Broward County Commerce land use designation and is permissible through the allocation of 0.227 acres of Commercial flexibility acreage. The location map is attached as Exhibit 1.

The sketch and legal description of the area to be rezoned is attached as Exhibit 2.

The City may permit a development to be used for commercial business uses within lands designated residential on the City's land use plan, by rezoning the parcel to a business zoning district, pursuant to Section 47-28.1.G.1.

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, are found in the project narratives in Exhibit 3 on Page 12.

The Planning and Zoning Board (PZB) reviewed the application on March 17, 2021, and recommended approval by a vote of 8-0 subject to staff conditions. The March 17, 2021 PZB staff report is attached as Exhibit 4 and contains a detailed summary of the project including staff's analysis of the applicable rezoning criteria. The March 17, 2021 PZB meeting minutes are attached as Exhibit 5.

The exhibits, presented to the PZB, are identified below, and include:

- Location Map, Zoning District Map, Future Land Use Map, Sketch and Legal (Exhibits 1 and 2)
- Application, Applicant's Narratives, and Site Plan (Exhibit 3)

The City Commission shall hold a public hearing to consider the application, the record and recommendations forwarded by the department and the Planning and Zoning Board. Additionally, at the public hearing, the Commission shall hear public comment on the application and determine whether the request meets the criteria for rezoning.

Rezoning Criteria:

Per the City's Unified Land Development Regulations (ULDR) Section 47-24.4.D, Rezoning Criteria, 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 proposed CB zoning designation will provide an appropriate transition between the more intense commercial use along the major corridor and existing residential uses. The CB zoning designation allows for Marina uses provided the request is approved under the Conditional Use permit application. Reference section titled "Comprehensive Plan Consistency", 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 proposed rezoning will not adversely impact the character of development in or near the area under consideration. By rezoning the southern lot to CB, the applicant will be able to improve the site and reduce adverse impacts created by the automotive repair use.

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.

The proposed CB zoning district is compatible with surrounding uses and zoning districts. The properties to the north and east are zoned B-1 zoned and consists of auto repair and sales and marine sales and service. There are residential properties to the south and east of the subject property. Once rezoned, the improvements will include a landscape screening area and other mitigation efforts to address the neighboring residential.

Flexibility Rules

Pursuant to the ULDR Section 47-28.1.G, for the allocation commercial uses on residential land use designated parcels, this application is subject to the following conditions:

1. The city may permit commercial uses on a parcel with a residential land use designation subject to the following conditions:
 - a. Rezoning of the development site to community business (CB) only, CB zoning, or to exclusive use (X-Use).

This application includes a request to rezone the parcel from RML-25 to CB.

- b. 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.

The total residential to commercial flex acreage permitted is 519.60 acres, with 1.24 acres assigned to date and another 2.34 acres pending assignment with 516.02 acres remaining unassigned.

- c. The parcel proposed for CB use shall not be greater than ten (10) contiguous acres.

The parcel proposed to be rezoned to CB is approximately .227 acres.

- d. Pursuant to the ULDR Section 47-28.1.G, for the allocation commercial uses on residential land use designated parcels this application is evaluated using the following criteria:
 - i. Demonstration that the use of commercial flex acreage supports and implements the specific goals, objectives and policies of the City's Land Use Plan.

The proposed use is consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.36, Use of Flexibility and Irregular Density Provision, which permits the use of flex units to facilitate development based upon changing conditions; and Objective 1.38, Economic Development, which states the support of a diverse economy.

The City's Future Land Use Map indicates that the subject property has split land use consisting of Commercial and Residential High designations. The City's Land Use Plan allows properties with residential land use designations to be converted for commercial uses through the allocation of commercial flex without having to amend the land use.

- ii. Rezoning application in accordance with Sec. 47-24.2, Development Permits and Procedures.

This application includes a request to rezone the parcel from RML-25 to CB and meets all requirements of the ULDR.

- iii. Site plan approval level III in accordance with Sec. 47-24.2, Development Permits and Procedures.

Proposed application is a Site Plan Level IV that includes an associated request for rezoning with flex allocation, and a conditional use request for the marina.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item supports the Press Play Fort Lauderdale Strategic Plan 2024, included within the Business Development Cylinder of Excellence, 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

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

Exhibit 4 – March 17, 2021 Planning and Zoning Board Staff Report

Exhibit 5 – March 17, 2021 Planning and Zoning Board Minutes

Exhibit 6 – Ordinance

Prepared by: Yvonne Redding, Urban Planner III, Sustainable Development

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