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

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<tr>
<th>Case Number</th>
<th>Z18004</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>Holland &amp; Knight/Debbie Orshefsky</td>
</tr>
<tr>
<td>General Location</td>
<td>909 Sistrunk Boulevard</td>
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<tr>
<td>Property Size</td>
<td>27,514 sf (0.632 acres)</td>
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<td>Portion of Property to be Rezoned</td>
<td>12,400 sf (0.285 acres)</td>
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<td>Current Zoning</td>
<td>Residential Midrise Multifamily/Medium-High Density (RMM-25)</td>
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<tr>
<td>Proposed Zoning</td>
<td>Northwest RAC Mixed-Use west (NWRAC-MUw)</td>
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<td>Existing Use</td>
<td>Parking for adjacent Retail</td>
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<td>Proposed Use</td>
<td>Retail-Office-Parking-Open Space</td>
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<tr>
<td>Future Land Use Designation</td>
<td>Northwest Regional Activity Center (NW-RAC)</td>
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<td>Applicable ULDR Sections</td>
<td>Section 47-24.4 Rezoning Criteria</td>
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<td>Notification Requirements</td>
<td>Sec. 47-24.1 Public Participation</td>
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<td>Sec. 47-27.6 Sign Notice 15 days prior to meeting</td>
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<td>Sec. 47-27.6 Mail Notice (300 foot radius) 10 days prior to meeting</td>
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<tr>
<td>Project Planner</td>
<td>Randall Robinson, Planner III</td>
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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 ensure 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 1: Permitted Use Comparison**

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<thead>
<tr>
<th>NWRAC-MUw</th>
<th>RMM-25</th>
<th>Proposed Zoning District</th>
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<tr>
<td>Automotive</td>
<td>Single Family Dwelling</td>
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<tr>
<td>Boats, Watercraft and Marinas</td>
<td>Single Family Dwelling, Attached: Cluster Dwellings,</td>
<td>Boats, Watercraft and Marinas</td>
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<tr>
<td>Commercial Recreation</td>
<td>Existing Single Family Dwelling, Zero-lot-line,</td>
<td>Commercial Recreation</td>
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<td>Single Family Dwelling, Attached: Duplex/Two [2] Family/Dwelling,</td>
<td>Food and Beverage Service</td>
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<td>Lodging</td>
<td>Single Family Dwelling, Attached: Townhouses,</td>
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<td>Mixed Use Development</td>
<td>Multifamily Dwelling; Coach Home,</td>
<td>Mixed Use Developments</td>
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<td>Public Purpose Facilities</td>
<td>Multifamily use.</td>
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<td>Retail Sales</td>
<td>Community Residence, 3 residents maximum.</td>
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<tr>
<td>Community Residence, 4 to 10 residents; 1,000</td>
<td>Distance separation</td>
<td>Accessory Uses, Buildings and Structures</td>
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<td>Urban Agriculture</td>
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<td>Existing Multifamily Dwelling</td>
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<td>Active and Passive Park</td>
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<td>Social Service Residential Facility, Level I</td>
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<td>Family Day Care Home</td>
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<td>Urban Agriculture</td>
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**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**

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
CASE # Z18004
Page 3
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 47-26.8, Appeals.

**EXHIBITS:**
1. Location / Zoning Map
2. Sketch and Legal Description
3. Applicant's Narrative Responses
4. Public Participation Meeting Summary and Affidavit
909 SISTRUNK
909 NW 6TH STREET
(SISTRUNK BLVD)

REZONING
VICINITY MAP EXHIBIT

700' VICINITY LINE

PROJECT SITE

NW 9TH AVE

NW 6TH ST

NORTH

GRAPHIC SCALE

SCALE: 1"=300'

NOTE: PRINTED DRAWING SIZE MAY HAVE CHANGED FROM ORIGINAL. VERIFY USING BAR SCALE ABOVE.
909 SISTRUNK
909 NW 6TH STREET
(SISTRUNK BLVD)

REZONING
ZONING EXHIBIT

NORTH

700' VICINITY LINE

0 300 600
SCALE: 1"=300'

NOTE: PRINTED DRAWING SIZE MAY HAVE CHANGED FROM ORIGINAL. VERIFY USING BAR SCALE ABOVE.

Z18004
Exhibit 1
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Final Review Body: ☐ Administrative ☐ DRC ☐ Planning & Zoning Board ☐ City Commission

APPROVAL DATE: __________________________

SITE PLAN EXPIRES UNLESS:

A. Building Permit Application for above ground principal structure is submitted within 18 months following APPROVAL DATE, by: __________________________

B. Building Permit is issued within 24 months following APPROVAL DATE, by: __________________________
PETITION TO REZONE FROM "RMM-25" TO "NWRAC-MUw"

LEGAL DESCRIPTION:

LOTS 9 AND 10, TOGETHER WITH THE EAST ½ OF THE VACATED ALLEY LYING WEST
OF AND ADJACENT TO SAID LOTS 9 & 10, JUNE PARK, ACCORDING TO THE PLAT THEREOF
AS RECORDED IN PLAT BOOK 22, PAGE 16, OF THE PUBLIC RECORDS OF BROWARD
COUNTY, FLORIDA.

LESS THE EAST 11.00 FEET OF LOTS 9 AND 10 FOR RIGHT OF WAY FOR N.W. 9TH AVENUE
(POWERLINE ROAD).

SAID LANDS LYING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND
CONTAINING 12,400 SQUARE FEET (0.285 ACRES) MORE OR LESS.

SURVEY NOTES:

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6880.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF THE STANDARDS OF PRACTICE PURSUANT TO RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS
SURVEY WITHOUT THE EXPRESS PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND/OR DELETIONS MADE TO THE FACE OF THIS
SURVEY WILL MAKE THIS SURVEY INVALID.
5. THIS SKETCH AND DESCRIPTION DOES NOT CONSTITUTE A BOUNDARY SURVEY.
6. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF NORTH 89°54'10" EAST ALONG THE NORTH LINE OF LOT 9, JUNE
PARK, AS RECORDED IN PLAT BOOK 22, ON PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
7. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
8. THE INTENDED DISPLAY SCALE FOR THIS SKETCH IS 1"=100' OR SMALLER.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH & DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY
KNOWLEDGE AND BELIEF AND THE INFORMATION AS WRITTEN UNDER MY DIRECTION ON JULY 9, 2018 MEETS THE STANDARDS OF PRACTICE
PURSUANT TO RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE AS APPLICABLE TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE
QUALIFICATIONS NOTED HEREOF.

KEITH & ASSOCIATES, INC.
CONSULTING ENGINEERS

LEE POWERS
PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION No. 6905
STATE OF FLORIDA

SKETCH & DESCRIPTION

A PORTION OF
LOTS 9 & 10
JUNE PARK
P.B. 22, PG. 16, B.C.R.
FT. LAUDERDALE, BROWARD COUNTY, FLORIDA

DATE 7/9/18
SCALE 1"=100'
FIELD BK. N/A
OWNG. BY DDB
CHECK BY LP

DATE REVISIONS 9/26/18 15' EASEMENT
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<td>12/5/19</td>
<td>YES / NO</td>
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**Final Review Body:**

- [ ] Administrative
- [ ] DRC
- [x] Planning & Zoning Board
- [x] City Commission

**APPROVAL DATE:** ____________________________

**SITE PLAN EXPIRES UNLESS:**

A. Building Permit Application for above ground principal structure is submitted within 18 months following APPROVAL DATE, by: ____________________________

B. Building Permit is issued within 24 months following APPROVAL DATE, by: ____________________________
APPLICANT MUST INDICATE:

Provide a narrative indicating satisfaction of the following:

1. The zoning district proposed is consistent with the City’s Comprehensive Plan.

   The property is located in the Northwest Regional Activity Center. Rezoning the property to NWRAC-MUw is consistent and compatible with the Future Land Use Map (FLUM) and abutting zoning to the south. Proper setbacks and landscaping will be provided abutting residential uses. 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. The Goals, Objectives and Policies are fully described in the attached narrative.

2. Substantial changes in the character of development in or near the area under consideration support the proposed rezoning.

   The Northwest Regional Activity Center is experiencing rapid redevelopment. The property being rezoned combined with abutting property already zoned NWRAC-MUw will allow for a property sized redevelopment parcel. The developer is proposing an indoor/outdoor gym and ground floor retail along with office space and structured parking. This project will compliment other redevelopment projects in the area and help activate the corner of Sistrunk Boulevard and Powerline Road. The rezoning and proposed project are consistent and compatible with the Northwest Regional Activity Center.

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.

   Redevelopment projects along the Sistrunk Boulevard corridor have been a priority of the city for decades. Approving the rezoning will allow for a redevelopment parcel large enough to activate both Sistrunk and Powerline Road. The developer is proposing an indoor/outdoor gym and ground floor retail along with office space and structured parking. The proposed uses of a gym, retail and office are suitable to the mixed use character of the area. Providing new redevelopment opportunities in the area furthers the goals, objectives and policies of the City of Fort Lauderdale.

All applicable provisions of ULDR Sec. 47-9.20 (Rezoning) shall be satisfied,

A. Application. Rezoning to an X district may only be initiated by application of the owner(s) of the property proposed to be rezoned and when the property to be rezoned will be used for business uses with the owner of the business property as co-applicant. The application shall include the following:

1. All information required for an application for a site plan level II permit pursuant to Section 47-24, Development Permits and Procedures, and for a rezoning development permit.

2. Identification of the permitted use or uses proposed for the property to be rezoned.
July 6, 2018

Mr. Anthony Fajardo, Director
Department of Sustainable Development
City of Fort Lauderdale
700 NW 19th Avenue
Fort Lauderdale, FL 33311

RE: Rezoning Application Adequacy Statement
909 Sistrunk Boulevard – Portion of Folios 504204290100 and 504204290090

Dear Mr. Fajardo;

On behalf of Mahyoub & Sons, Inc., Fuse Group and Holland and Knight, Keith is submitting an application for rezoning a portion of the property located north of Sistrunk Boulevard on Powerline Road from RMM-25 (Residential Multifamily Mid-rise/Medium High Density) to NWRAC-MUw (Northwest Regional Activity Center – Mixed Use West). Rezoning the property to NWRAC-MUw creates a consistent zoning with the property to the south which is already zone NWRAC-MUw and will allow for the proposed reuse and construction of a commercial (gym/retail/office) development. The proposed rezoning to NWRAC-MUw is the most appropriate district and is consistent with future land use designation of Northwest Regional Activity Center and the vision of existing and proposed redevelopment projects in the area and with the Northwest Redevelopment Plan.

The Fuse Group, contract purchasers, are planning to develop this property proposed for rezoning as well as the abutting parcel directly to the south. Combing both properties will create a properly sized redevelopment parcel on the northwest corner of Sistrunk Boulevard and Powerline Road. The Northwest Regional Activity Center is now experiencing rapid redevelopment. The property being rezoned combined with abutting property already zoned NWRAC-MUw will allow for a redevelopment parcel that will include renovating and existing building and constructing new. The developer is proposing an indoor/outdoor gym within the existing renovated structure and ground floor retail along with office space above and structured parking all within a new building. This project will compliment other redevelopment projects in the area and help activate the corner of Sistrunk Boulevard and Powerline Road. The rezoning and proposed project are consistent and compatible with the Northwest Regional Activity Center.
Redevelopment projects along the Sistrunk Boulevard corridor have been a priority of the city for decades. Approving the rezoning will allow for a redevelopment parcel large enough to activate a major corner like Sistrunk and Powerline Road. The project will meet additional setback/step back and screening requirements from nearby residentially zoned property. The proposed uses of a gym, retail and office are suitable to the mixed use character of the area. Providing new redevelopment and business opportunities in the area furthers the goals, objectives and policies of the City of Fort Lauderdale.

The proposed rezoning is consistent and compatible with the Goals, Objectives and Policies of the Fort Lauderdale Comprehensive Plan including:

LAND USE ELEMENT
GOAL 1: Promote the distribution of land uses that will preserve and enhance the character of Fort Lauderdale by establishing land development guides designed to promote environmental protection, meet social and economic needs, provide for adequate services and facilities, conserve natural resources, and ensure compatibility of land uses.

OBJECTIVE 1.7: DEVELOPMENT AND REDEVELOPMENT CONSISTENT WITH NORTHWEST PROGRESSO/FLAGLER HEIGHTS REDEVELOPMENT PLAN Ensure that development and redevelopment activities in the Northwest Progresso/Flagler Heights Community Redevelopment Area (CRA), which was identified as a blighted area, are consistent with the adopted Northwest Community Redevelopment Plan.

OBJECTIVE 1.10: NORTHWEST REGIONAL ACTIVITY CENTER (NORTHWESTRAC) REDEVELOPMENT EFFORTS Encourage redevelopment and expansion of employment and housing opportunities for very low, low and moderate-income households within the Northwest-RAC through the establishment of alternate levels of service on portions of the roadway network serving the area.

OBJECTIVE 1.21: ENCOURAGING MIXED USE DEVELOPMENT Encourage mixed-use developments to enhance the livability of the City through encouragement of an attractive and functional mix of living, working, shopping, and recreational activities.

OBJECTIVE 1.32: GUIDING GROWTH TO DISCOURAGE SPRAWL AND ENCOURAGE TRANSIT Direct growth to the designated Urban Redevelopment/Downtown Revitalization Area in order to discourage urban sprawl, maximize the use of existing public facilities and centralize commercial, governmental, retail, residential, and cultural activities.

Below are the responses the City’s Adequacy Requirements found in Sec. 47-25.2.

A. Applicability. The adequacy requirements set forth herein shall be used by the city to evaluate the demand created on public services and facilities created by a proposed development permit. Response: Acknowledged.
B. Communications network. Buildings and structures shall not interfere with the city's communication network. Developments shall be modified to accommodate the needs of the city's communication network, to eliminate any interference a development would create or otherwise accommodate the needs of the city's communication network within the development proposal.

**Response:** Acknowledged.

C. Drainage facilities. Adequacy of stormwater management facilities shall be evaluated based upon the adopted level of service requiring the retention of the first inch of runoff from the entire site or two and one-half (2½) inches of runoff from the impervious surface whichever is greater.

**Response:** The project will be designed to meet all drainage facility requirements on-site.

D. Environmentally sensitive lands.

1. In addition to a finding of adequacy, a development shall be reviewed pursuant to applicable federal, state, regional and local environmental regulations. Specifically, an application for development shall be reviewed in accordance with the following Broward County Ordinances which address environmentally sensitive lands and wellfield protection which ordinances are incorporated herein by reference:
   a. Broward County Ordinance No. 89-6.
   b. Section 5-198(I), Chapter 5, Article IX of the Broward County Code of Ordinances.
   c. Broward County Ordinance No. 84-60.

2. The applicant must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.

**Response:** The property is currently used as a parking lot. It is not anticipated that there are any environmentally sensitive lands on or in the vicinity of the property.

E. Fire protection. Fire protection service shall be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities shall be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.

**Response:** The project will be designed to meet all fire protection requirements and the proposed building will be fully sprinklered.

F. Parks and open space.

1. The manner and amount of providing park and open space is as provided in Section 47-38A, Park Impact Fees, of the ULDR.

2. No building permit shall be issued until the park impact fee required by Section 47-38A of the ULDR has been paid in full by the applicant.

**Response:** Not Applicable. This is a proposed commercial development.

G. Police protection. Police protection service shall be adequate to protect people and property in the proposed development. The development shall provide improvements which are consistent with Crime Prevention Through Environmental Design (CPTED) to minimize the risk to public safety and assure adequate police protection.

**Response:** Acknowledged. The proposed project will designed to be consistent with CPTED guidelines.

H. Potable water.

1. Adequate potable water service shall be provided for the needs of the proposed development.
The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.

2. Potable water facilities.
   a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
   b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.
   c. Where the county is the projected service provider, a similar written assurance will be required.

Response: The site is currently served by existing potable water facilities. A detailed analysis of additional water demand will be provided during site plan approval process.

I. Sanitary sewer.
   1. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from the design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
   2. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the proposed development.
   3. Where the county is the projected service provider, a written assurance will be required.
   4. Where septic tanks will be utilized, the applicant shall secure and submit to the city a certificate from the Broward County Health Unit that certifies that the site is or can be made suitable for an on-site sewage disposal system for the proposed use.

Response: The site is currently served by existing sanitary sewer facilities. A detailed analysis of additional sewer demand will be provided during site plan approval process.

J. Schools. For all development including residential units, the applicant shall be required to mitigate the impact of such development on public school facilities in accordance with the Broward County Land Development Code or section 47-38C, Educational Mitigation, as applicable and shall provide documentation to the city that such education mitigation requirement has been satisfied.

Response: Not Applicable. This is a proposed commercial development.

K. Solid waste.
   1. Adequate solid waste collection facilities and service shall be obtained by the applicant in
connection with the proposed development and evidence shall be provided to the city demonstrating that all solid waste will be disposed of in a manner that complies with all governmental requirements.

2. Solid waste facilities. Where the city provides solid waste collection service and adequate service can be provided, an adequacy finding shall be issued. Where there is another service provider, a written assurance will be required. The impacts of the proposed development will be determined based on Table 4, Solid Waste, on file with the department.

Response: The existing project has met the solid waste facility requirements. It is expected that the existing services will be expanded or revised to meet the demands of the proposed project.

L. Stormwater. Adequate stormwater facilities and systems shall be provided so that the removal of stormwater will not adversely affect adjacent streets and properties or the public stormwater facilities and systems in accordance with the Florida Building Code, city engineering standards and other accepted applicable engineering standards.

Response: The project will be designed to meet all stormwater facility requirements on-site.

M. Transportation facilities.
1. The capacity for transportation facilities shall be evaluated based on Table 1, Generalized Daily Level of Service Maximum Volumes, on file with the department. If a development is within a compact deferral area, the available traffic capacity shall be determined in accordance with Table 2, Flowchart, on file with the department.

2. Regional transportation network. The regional transportation network shall have the adequate capacity, and safe and efficient traffic circulation to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the adopted traffic elements of the city and the county comprehensive plans, and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is needed in order to evaluate the impacts of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit such a study to the city which will be considered by the DRC in its review. Roadway improvements needed to upgrade the regional transportation network shall be made in accordance with the city, the county, and Florida Department of Transportation traffic engineering standards and plans as applicable.

3. Local streets. Local streets shall have adequate capacity, safe and efficient traffic circulation, and appropriate functional classification to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the city's comprehensive plan and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is required in order to evaluate the impact of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit to the city such a study to be considered as part of the DRC review. Street improvements needed to upgrade the capacity or comply with the functional classification of local streets shall be made in accordance with the city engineering standards and acceptable applicable traffic engineering standards. Local streets are those streets that are not classified as federal, state or county roadways on the functional classification map adopted by the State of
Response: The project is located along two trafficways within Broward County (Sistrunk Blvd. and Powerline Road). The project will comply with all local and regional roadway requirements.

4. Traffic impact studies.
   a. When the proposed development may generate over one thousand (1,000) daily trips; or
   b. When the daily trip generation is less than one thousand (1,000) trips; and
      (1) when more than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half (½) hour; or
      (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half (½) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in trafficways impact analysis which shall:
         i. Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.
         ii. Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing and programmed trafficways.
         iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local trafficways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.
         iv. A further detailed analysis and any other information that the review committee considers relevant.
         v. The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study supports its conclusions. The cost of review by city's consultant shall be reimbursed to the city by the applicant.
         vi. When this subsection M.4.b. applies, the traffic study shall include an analysis of how the peak loading will affect the transportation system including, if necessary, an operational plan showing how the peak trips will be controlled and managed.

Response: The project anticipates generating less than 1,000 net new trips. Documentation of the total number of trips will be provided at the site plan approval process.

5. Dedication of rights-of-way. Property shall be conveyed to the public by plat, deed or grant of easement as needed in accordance with the Broward County Trafficways Plan, the city's comprehensive plan, subdivision regulations and accepted applicable traffic engineering standards.

Response: It is believed that all rights-of-ways have been dedicate to their correct widths. If additional rights-of-ways are required as part of this development they will be granted via separate instrument.

6. Pedestrian facilities. Sidewalks, pedestrian crossing and other pedestrian facilities shall be provided to encourage safe and adequate pedestrian movement on-site and along roadways to adjacent properties. Transit service facilities shall be provided for as required by the city and Broward County Transit. Pedestrian facilities shall be designed and installed in accordance with
Response: Sidewalk facilities exist on Sistrunk Boulevard. Sidewalks will be added to Powerline Road at the time of Site Plan approval.

7. Primary arterial street frontage. Where a proposed development abuts a primary arterial street either existing or proposed in the trafficways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

Response: The proposed project will meet all street frontage requirements.

8. Other roadway improvements. Roadways adjustments, traffic control devices, mechanisms, and access restrictions may be required to control traffic flow or divert traffic, as needed to reduce or eliminate development generated traffic.

Response: Acknowledged.

9. Street trees. In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements, except in the downtown RAC districts the requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development's compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.

Response: The proposed project will meet all street tree requirements as deemed required by the City.

N. Wastewater.

1. Wastewater. Adequate wastewater services shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which wastewater treatment or disposal capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.

Response: The site is currently served by existing sanitary sewer facilities. A detailed analysis
of wastewater services will be provided during site plan approval process.

O. Trash management requirements. A trash management plan shall be required in connection with non-residential uses that provide prepackaged food or beverages for off-site consumption. Existing non-residential uses of this type shall adopt a trash management plan within six (6) months of the effective date of this provision.

Response: The existing project has met the trash management requirements. It is expected that the existing services will be expanded to meet the demands of the proposed project.

P. Historic and archaeological resources.

1. If a structure or site has been identified as having archaeological or historical significance by any entity within the State of Florida authorized by law to do same, the applicant shall be responsible for requesting this information from the state, county, local governmental or other entity with jurisdiction over historic or archaeological matters and submitting this information to the city at the time of, and together with, a development permit application. The reviewing entity shall include this information in its comments.

Response: It is not anticipated that there are any historic or archaeological resources on or in the vicinity of the property.

Q. Hurricane evacuation. If a structure or site is located east of the Intracoastal Waterway, the applicant shall submit documentation from Broward County or such agency with jurisdiction over hurricane evacuation analysis either indicating that acceptable level of service of hurricane evacuation routes and hurricane emergency shelter capacity shall be maintained without impairment resulting from a proposed development or describing actions or development modifications necessary to be implemented in order to maintain level of service and capacity.

Response: This project is not located east of the Intracoastal Waterway.

We look forward to working with you on this exciting project.

Respectfully Submitted,

[Signature]

Mike Vonder Meulen, AICP
Director of Planning

Cc: Eyal Peretz, Fuse Group
Debbie M. Orshefsky, Esq.

Engineering Inspired Design.
October 1, 2018

VIA EMAIL: afajardo@fortlauderdale.gov

Mr. Anthony Fajardo
City of Fort Lauderdale
Department of Sustainable Development
700 NW 19 Avenue
Fort Lauderdale FL 33311

Re: Application R-18004 Public Participation Meeting

Dear Anthony:

Enclosed is the Affidavit of Public Participation Meeting and related Report to Department of Sustainable Development required in connection with the above-referenced pending application.

Best regards,

Debbie M. Orshesky, Esq.

cc: Mr. Eyal Peretz (via email w/encl.)
Ms. Linda Mia Franco (via email w/encl.)
Mr. Michael Vonder Muellen (via email w/encl.)
Applicant must provide notification according to the procedure listed below for projects listed in Sec. 47-27.4.A.2.c.

- A minimum of 21 days prior to the Development Review Committee (DRC) meeting, a notice from the applicant via letter or e-mail shall be provided to any official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of the DRC meeting.
- Prior to submittal of application to the Planning and Zoning Board (PZB), a notice from the applicant via letter or e-mail shall be provided to official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of applicant’s project presentation meeting to take place prior to the PZB hearing.
- The applicant shall conduct a public participation meeting(s) a minimum of 30 days prior to the PZB hearing.
- After the public participation meeting(s), the applicant shall provide a written report letter to the Department of Sustainable Development, with copy to subject association(s), documenting the date(s), time(s), location(s), number of participants, presentation material and general summary of the discussion after a public participation meeting(s) has taken place a minimum of 30 days prior to the PZB hearing. The report letter shall summarize the substance of comments expressed during the process and shall be made a part of the administrative case file record.
- The applicant shall, ten (10) days prior to DRC and again for the PZB, execute and submit to the department an affidavit of proof of public notice according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

AFFIDAVIT OF PUBLIC PARTICIPATION NOTIFICATION

STATE OF FLORIDA
BROWARD COUNTY

RE: ❑ PLANNING AND ZONING BOARD

APPLICANT: Mahyoub & Sons, Inc.

PROPERTY: 909 N.W. 6th Street

PUBLIC HEARING DATE: October 17, 2018

BEFORE ME, the undersigned authority, personally appeared, who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above cited City of Fort Lauderdale Development Review Case.

2. The Affiant/Applicant has mailed or has caused to be mailed, via postal service or electronic mail, a letter to any official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of the Public Participation meeting.

3. That the letter referenced in Paragraph two (2) above was mailed prior to the submittal of the PZB application meeting cited above.

4. That the public participation meeting was held at least thirty (30) days prior to the date of the PZB meeting cited above.

5. Affiant has prepared a summary of the public participation meeting cited above that documents the date(s), time(s), location(s), number of participants, presentation material and general summary of the discussion and comments expressed during the process.

6. Affiant acknowledges that this Affidavit must be executed and filed with the City’s Urban Design & Planning office ten (10) days prior to the date of the Planning and Zoning Board meeting and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.

7. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefor.
Addendum: PZB Public Participation Notification <<if applicable>>

Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this __ day of ___, 20__

(SEAL)

(MARK S. CANTELE)

NOTARY PUBLIC
MY COMMISSION EXPIRES:

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.3.i of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. Initials of applicant (or representative) must end with initials of notary. Initial: ________
REPORT TO DEPARTMENT OF SUSTAINABLE DEVELOPMENT
REGARDING PUBLIC PARTICIPATION MEETING FOR REZONING
APPLICATION R-18004

On July 12, 2018, the Applicant held the Public Participation Meeting for the proposed rezoning. Email notification of the meeting was sent to the civic associations noted in the email transmitting the meeting notices attached hereto as Exhibit 1. The attendance sheet for this meeting is attached hereto as Exhibit 2. Since the developer is considering a building of 65’ in height, a conceptual site plan was presented at this meeting; materials presented are attached hereto as Exhibit 3. Individuals at the meeting expressed some concern regarding the height and architectural style of the conceptual plans presented; the developer has subsequently met with some of these individuals and is making modifications to the proposed project design which appear to address the original concerns raised. This dialogue is ongoing as the project design evolves.

Report prepared by Debbie M. Orshesky, attorney for Applicant

Date: October 1, 2018
EXHIBIT 1

Orshefsky, Debbie M (FTL - X27871)

From: Orshefsky, Debbie M (FTL - X27871)
Sent: Thursday, July 5, 2018 4:51 PM
To: Ronald Centamore; mhuntleyocil@gmail.com; dorseyriverbend@yahoo.com
Cc: Eyal Peretz; Camila Mori; Ofer Tamir; Michael Vonder Meulen;
pweinberg@keithteam.com; Michael Amodio; Santamaria, Marcy (FTL - X27858);
dspence@fortlauderdale.gov

Subject: NOTICE OF PUBLIC PARTICIPATION MEETING
Attachments: Document2.docx

Please let us know if you will be able to attend our public participation meeting on July 12th. We look forward to presenting this exciting new development! Best regards, Debbie
Please let us know if you will be able to attend our public participation meeting on July 12th. We look forward to presenting this exciting new development! Best regards, Debbie
NOTICE OF PUBLIC PARTICIPATION MEETING

REGARDING

REZONING OF PROPERTY LOCATED AT 909 NW 6TH STREET

AND

REQUEST FOR SITE PLAN APPROVAL FOR OFFICE AND RETAIL USE IN A BUILDING WITH A HEIGHT NOT TO EXCEED 65'

DATE: JULY 12, 2018

TIME: 7pm

LOCATION: 900 NW 6TH STREET SUITE 101A

FORT LAUDERDALE, FL 33311
## SIGN-IN SHEET

*Public Participation Meeting*

**909 N.W. 6th Street Project**

*July 12, 2018*

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
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<tbody>
<tr>
<td>Pamela Beasley Pitman</td>
<td>500 N.W. 19 Ave</td>
</tr>
<tr>
<td>Edith Bynes</td>
<td>1116 N.W. 10 Ave</td>
</tr>
<tr>
<td>Carretta Shaw-Rolle</td>
<td>909 N.W. 5 St</td>
</tr>
<tr>
<td>Philip Rolle</td>
<td>&quot; &quot; &quot; &quot; &quot;</td>
</tr>
<tr>
<td>A. D. Snae</td>
<td>2530 N.W. 4 St</td>
</tr>
<tr>
<td>Ronald Reid</td>
<td>508 N.W. 19 St</td>
</tr>
<tr>
<td>Mary Mitchell</td>
<td>11201 N.W. 5th St</td>
</tr>
<tr>
<td>Tania Nunn</td>
<td>1001 N.W. 5th St</td>
</tr>
<tr>
<td>Daniel Daily</td>
<td>2447 N.W. 13 Rd</td>
</tr>
<tr>
<td>Alice Christmas</td>
<td>2372 N.W. 13 Rd</td>
</tr>
<tr>
<td>Maria Carrillo</td>
<td>6363 N.W. 20th Ave</td>
</tr>
<tr>
<td>David Centamore</td>
<td>3591 N.W. 18th Pl</td>
</tr>
<tr>
<td>Melvin Mills</td>
<td>3591 N.W. 18th Pl</td>
</tr>
<tr>
<td>Willie Lacy Jr.</td>
<td>1305 N.W. 8th St</td>
</tr>
<tr>
<td>Jasmine Shirley</td>
<td>1560 S.W. 4 St. FL 3331</td>
</tr>
<tr>
<td>Gerald &amp; Marilee Nesbitt</td>
<td>1302 N.W. 5th St. FL 3331</td>
</tr>
<tr>
<td>Verna Davis</td>
<td>3416 N.W. 3rd St.</td>
</tr>
<tr>
<td>Sonja Burns</td>
<td>1552 N.W. 6th St. FL 3331</td>
</tr>
</tbody>
</table>
Proposal Includes:

- Re-use of the Existing Building
- Rezoning Site - 0.28 acres
- Size - 0.66 acres

Project Site

- Structured Parking
- Green Space
- Office Space
- Retail Space
Location:

Vicinity map

- Northwest corner of Sistrunk Boulevard & Powerline Road
Rezoning

- Current zoning district does not allow proposed uses
- Rezoning will maintain consistent zoning on entire property
- Proposed Zoning: NWRAC-MUW
- Existing Zoning: RMM-25

Consistent with Comprehensive Plan
Looking Northwest at the corner of Sistrunk Blvd. and Powerline Rd.
Tachely searching for quality retail and office space

Add quality investment

Help spur new development

Beautify the major corner

Activate the area

Development will:

The area

Owner is committed to the community and
PLANNING & ZONING BOARD (PZE)

Rezoning Application
(For a rezone only, not tied to a site plan and/or not requiring flexibility units or acreage.)

Cover: Deadline, Notes, and Fees
Page 1: Applicant Information Sheet
Page 2: Applicant Information Sheet, continued
Page 3: Required Documentation & Mail Notice Requirements
Page 4: Sign Notification Requirements & Affidavit

DEADLINE: Submittals must be received by 4:00 PM each business day. Pursuant to Section 47-24.1(1), the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via e-mail, if plans do not meet the submittal requirements and if changes are required.

NOTE: If your development site is separated by any public right-of-way (alley, alley reservation, or ROW easement) you must complete a separate application for each parcel.

NOTE: Optional 15-minute time slots are available during DRC meetings for scheduling to applicants, for general project inquiries or to obtain signatures on completed DRC plans (including Pre-Planning and Zoning Board, Pre- City Commission and Final DRC plans) from all representatives at one time in preference to scheduling individual appointments. Appointments are subject to availability. To make an appointment, please call 954-828-8531 latest by Friday at 12:00 noon prior to the meeting date.

FEES: All applications for development permits are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit.

Rezoning $ 1,010.00
**Page 1: PZE Rezone - Applicant Information Sheet**

**INSTRUCTIONS:** The following information is requested pursuant to the City's Unified Land Development Regulations (ULDRI). The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.

**NOTE:** To be filled out by Department

<table>
<thead>
<tr>
<th>Case Number</th>
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<tr>
<td>Date of complete submittal</td>
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**NOTE:** For purpose of identification, the PROPERTY OWNER is the APPLICANT

<table>
<thead>
<tr>
<th>Property Owner’s Name</th>
<th>Mahyoub &amp; Sons Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner’s Signature</td>
<td>If a signed agent letter is provided, no signature is required on the application by the owner.</td>
</tr>
<tr>
<td>Address, City, State, Zip</td>
<td>909 NW 6th Street, Fort Lauderdale, FL 33311</td>
</tr>
<tr>
<td>E-mail Address</td>
<td><a href="mailto:eyal@fusegroupco.com">eyal@fusegroupco.com</a></td>
</tr>
<tr>
<td>Phone Number</td>
<td>954-926-7500</td>
</tr>
<tr>
<td>Proof of Ownership</td>
<td>( ] Warranty Deed or (X) Tax Record</td>
</tr>
</tbody>
</table>

**NOTE:** If AGENT is to represent OWNER, notarized letter of consent is required

<table>
<thead>
<tr>
<th>Applicant/Agent’s Name</th>
<th>Holland &amp; Knight Debbie Orshefsky</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant/Agent’s Signature</td>
<td></td>
</tr>
<tr>
<td>Address, City, State, Zip</td>
<td>515 East Las Olas Boulevard, Suite 1200, Fort Lauderdale, FL 33301</td>
</tr>
<tr>
<td>E-mail Address</td>
<td><a href="mailto:debbie.orshefsky@hklaw.com">debbie.orshefsky@hklaw.com</a></td>
</tr>
<tr>
<td>Phone Number</td>
<td>954.468.7871</td>
</tr>
<tr>
<td>Letter of Consent Submitted</td>
<td>Yes</td>
</tr>
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<table>
<thead>
<tr>
<th>Development/Project Name</th>
<th>909 Sistrunk</th>
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<tbody>
<tr>
<td>Development/Project Address</td>
<td>909 Sistrunk Boulevard</td>
</tr>
<tr>
<td>Legal Description</td>
<td>Lots 9 &amp; 10 of June Park P.B. 22, P. 16 BCR, Less that portion for road right-of-way and that portion of the east 1/2 of the vacated alley adjacent to Lots 9 &amp; 10</td>
</tr>
<tr>
<td>Tax ID Folio Numbers (For all parcels in development)</td>
<td>504204290100, 504204290090</td>
</tr>
<tr>
<td>Request/Description of Project</td>
<td>Rezone the property from RMM-25 to NWRAC-MUw for redevelopment</td>
</tr>
<tr>
<td>Applicable ULDRI Sections</td>
<td>Sec. 47.13, Sec. 47.24.4 and Sec. 47.25</td>
</tr>
<tr>
<td>Total Estimated Cost of Project</td>
<td>$15,000,000 (including land costs)</td>
</tr>
</tbody>
</table>

| Future Land Use Designation | Regional Activity Center |
| Proposed Land Use Designation | Regional Activity Center |
| Current Zoning Designation | RMM-25 |
| Proposed Zoning Designation | NWRAC-MUw |
| Current Use of Property | Parking for Retail Business |
| Residential SF (and Type) | N/A |
| Number of Residential Units | N/A |
| Non-Residential SF (and Type) | N/A |
| Total Bldg. SF (include structured parking) | N/A |
| Site Adjacent to Waterway | ( ] Yes or (X) No |

<table>
<thead>
<tr>
<th>Dimensional Requirements</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Size (SF / Acreage)</td>
<td>5,000</td>
<td>N/A</td>
</tr>
<tr>
<td>Lot Density</td>
<td>25 DU/AC</td>
<td>None</td>
</tr>
<tr>
<td>Lot Width</td>
<td>50</td>
<td>N/A</td>
</tr>
<tr>
<td>Building Height (Feet / Levels)</td>
<td>55</td>
<td>45</td>
</tr>
<tr>
<td>Structure Length</td>
<td>200</td>
<td>N/A</td>
</tr>
<tr>
<td>Floor Area Ratio</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Open Space</td>
<td>35%</td>
<td>N/A</td>
</tr>
<tr>
<td>Landscape Area</td>
<td>35%</td>
<td>N/A</td>
</tr>
<tr>
<td>Parking Spaces</td>
<td>1.75/unit and up</td>
<td>60% of code</td>
</tr>
</tbody>
</table>

**NOTE:** State north, south, east or west for each yard.

<table>
<thead>
<tr>
<th>Setbacks/Yards*</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>25</td>
<td>5</td>
</tr>
<tr>
<td>Side</td>
<td>5</td>
<td>15</td>
</tr>
<tr>
<td>Side</td>
<td>5</td>
<td>N/A</td>
</tr>
<tr>
<td>Rear</td>
<td>20</td>
<td>15</td>
</tr>
</tbody>
</table>

Updated: 12/10/2015
The zoning district proposed is consistent with the City's Comprehensive Plan.

The property is located in the Northwest Regional Activity Center. Rezoning the property to NWRAC-MUw is consistent and compatible with the Future Land Use Map (FLUM) and abutting zoning to the south. Proper setbacks and landscaping will be provided abutting residential uses. 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. The Goals, Objectives and Policies are fully described in the attached narrative.

Substantial changes in the character of development in or near the area under consideration supports the proposed rezoning.

The Northwest Regional Activity Center is experiencing rapid redevelopment. The property being rezoned combined with abutting property already zoned NWRAC-MUw will allow for a properly sized redevelopment parcel. The developer is proposing an indoor/outdoor gym and ground floor retail along with office space and structured parking. This project will compliment other redevelopment projects in the area and help activate the corner of Sistrunk Boulevard and Powerline Road. The rezoning and proposed project are consistent and compatible with the Northwest Regional Activity Center.

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.

Redevelopment projects along the Sistrunk Boulevard corridor have been a priority of the city for decades. Approving the rezoning will allow for a redevelopment parcel large enough to activate both Sistrunk and Powerline Road. The project will meet the additional setback and screening requirements from nearby Residentially zoned property. The proposed uses of a gym, retail and office are suitable to the mixed use character of the area. Providing new redevelopment opportunities in the area furthers the goals, objectives and policies of the City of Fort Lauderdale.

All applicable provisions of ULDR Sec. 47-9.20 (Rezoning) shall be satisfied.

A. Application. Rezoning to an X district may only be initiated by application of the owner(s) of the property proposed to be rezoned and when the property to be rezoned will be used for business uses with the owner of the business property as co-applicant. The application shall include the following:

1. All information required for an application for a site plan level II permit pursuant to Section 47-24 Development Permits and Procedures, and for a rezoning development permit.
2. Identification of the permitted use or uses proposed for the property to be rezoned.
3. A general vicinity map consisting of an eight and one-half (8½) inch by eleven (11) inch street map at a scale of not less than one (1) inch equals five hundred (500) feet identifying the parcel proposed to be rezoned and, if business is proposed, the business property to which the exclusive use property is to be joined, and all lots located within a seven hundred (700) foot radius of the parcel to be rezoned. The map shall show existing zoning, all residential uses and the heights of all structures in the seven hundred (700) foot area.

4. An area map showing the parcel proposed for rezoning and all new, existing or proposed redevelopment. If the parcel to be rezoned exclusive use is to be used as a parking facility which will serve a particular use, the area map shall show all new, existing or proposed redevelopment on the site which the parking is intended to serve. If the parcel is to be used for a business use, the area map shall show the business property to which the property proposed for exclusive use will be joined.

5. A site plan for the proposed use which shows how the proposed use will meet the performance criteria provided herein including if applicable, elevations, surrounding commercial and residential areas, location and sizes of signs, location of landscaping and other buffers, and vehicular and pedestrian movement between the proposed parcel to be rezoned and the surrounding areas.

6. All studies required to be submitted as provided in this section

<table>
<thead>
<tr>
<th>Name and Signature</th>
<th>Folio Number</th>
<th>Subdivision</th>
<th>Block</th>
<th>Lot</th>
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<tbody>
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Page 3: Required Documentation / Mail Notice Requirements

One (1) copy of the following documents:
- Completed application (all pages must be filled out where applicable)
- Mail notification documents
- Proof of ownership (warranty deed or tax record), including corporation documents if applicable
- Property owners signature and/or agent letter signed by the property owner
- Color photographs of the entire property and all surrounding properties, dated and labeled and identified as to orientation.
- One (1) electronic version of complete application and plans in PDF format

Two (2) original sets, signed and sealed, of Pre-PZE plans at 24" x 36"
Thirteen (13) copy sets, of Pre-PZE half-size scaled plans at 12" x 18"

- Narrative describing project request. Narratives must be on letterhead, dated, and with author indicated.
- Narrative quoting all applicable sections of the ULDR, with point-by-point responses of how project complies with such criteria. Narratives must be on letterhead, dated, and with author indicated.
- Land Use and Zoning maps indicating all properties within 700 ft. of the subject property. These should be obtained from Urban Design & Planning Division. Site should be highlighted or clearly marked to identify the parcel(s) under consideration on all sets.
- Cover sheet on plan set to state project name and table of contents.
- Current survey(s) of property, signed and sealed, showing existing conditions; survey must be As-Built and Topographic with Right-of-Way and Easement Vacations Excluded. The survey should consist of the proposed project site alone. Do not include adjacent properties or portions of lands not included in the proposed project unless specifically requested by the City.
- Provide separate sketch and legal description of portion of property to be rezoned (if different than entire site).
- Most current recorded plat including amendments, with site highlighted. This may be obtained from Broward County Public Records at 115 S. Andrews Ave. Note: for Change of Use applications, this is not required.
- Aerial photo indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.

Note: All copy sets must be clear and legible. If original set is in color, copy sets must also be in color.

Note: Plans must be bound, stapled and folded to 8 1/2" x 11". All non-plan documents should be 8 1/2" x 11" and stapled or bound.

Note: Civil Engineering plans are only required at Final-DRC sign-off. Contact DRC Engineering Representative for details.

Note: For examples of project narratives, site plan data tables, and renderings required with your application, please refer to the "Submittal Reference Book" available at the Planning & Zoning Department office.

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<table>
<thead>
<tr>
<th>Applicant's Affidavit</th>
<th>Staff Intake Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>I acknowledge that the Required Documentation and Technical Specifications of the application are met:</td>
<td>For Urban Design &amp; Planning staff use only:</td>
</tr>
<tr>
<td><strong>Print Name</strong></td>
<td><strong>Date</strong></td>
</tr>
<tr>
<td>[Signature]</td>
<td></td>
</tr>
<tr>
<td><strong>Received By</strong></td>
<td><strong>Tech. Specs</strong></td>
</tr>
<tr>
<td><strong>Reviewed By</strong></td>
<td><strong>Case No.</strong></td>
</tr>
</tbody>
</table>

**Date: 6/18/18**

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**MAIL NOTIFICATION**

Notice shall be in the form provided by the department and mailed on the date the application is accepted by the department. The names and addresses of homeowner associations shall be those on file with the City Clerk.

- **REQUIREMENT:** Mail notice of development proposal shall be provided to real property owners within 300 feet of applicant's property, as listed in the most recent ad valorem tax records of Broward County.
- **TAX MAP:** Applicant shall provide a tax map of all property within the required notification radius, with each property clearly shown and delineated. Each property within the notice area must be numbered (by FOLIO ID) on the map to cross-reference with property owners notice list.
- **PROPERTY OWNERS NOTICE LIST:** Applicant shall provide a property owners notice list with the names, property control numbers (FOLIO ID) and complete addresses for all property owners within the required notification radius. The list shall also include all homeowners associations, condominium associations, municipalities and counties, as indicated on the tax roll.
- **ENVELOPES:** The applicant shall provide business size (#10) envelopes with first class postage attached (stamps only, metered mail will not be accepted). Envelopes must be addressed to all property owners within the required notification radius, and mailing addresses must be typed or labeled; no handwritten addresses will be accepted. Indicate the following as the return address on all envelopes: City of Fort Lauderdale, Urban Design & Planning, 700 NW 19th Avenue, Fort Lauderdale, FL 33311.

Updated: 12/10/2015
PZE_RezoneApp
DISTRIBUTION: The City of Fort Lauderdale, Urban Design & Planning will mail all notices prior to the public hearing meeting date, as outlined in Section 47-27.
SIGN NOTICE

Applicant must POST SIGNS (for Planning and Zoning Board and City Commission Hearings) according to Sec. 47-27.4.

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time and place shall be stated on the sign or changed as applicable.
- The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
- The sign shall be visible from adjacent rights-of-way, including waterways, but excepting alleys.
- If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
- If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
- Development applications for more than one (1) contiguous development site shall be required to have sign notice by posting one (1) sign in each geographic direction, (north, south, east and west) on the public right-of-way at the perimeter of the area under consideration.
- If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
- The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
- The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

AFFIDAVIT OF POSTING SIGNS

STATE OF FLORIDA
BROWARD COUNTY

RE: BOARD OF ADJUSTMENT
    HISTORIC PRESERVATION BOARD
    PLANNING AND ZONING BOARD
    CITY COMMISSION

APPLICATION CASE NO.:

APPLICANT:

PROPERTY:

PUBLIC HEARING DATE:

BEFORE ME, the undersigned authority, personally appeared__________________________, who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above-cited City of Fort Lauderdale Board or Commission Case.

2. The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the Board or Commission.

3. That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least fifteen (15) days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.

4. Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the Board or Commission. Should the application be continued, deferred or re-heard, the sign shall be amended to reflect the new dates.

5. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning office five (5) calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.

6. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefore.

__________________________
Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this _______day of __________________, 200_

(SEAL)

__________________________
NOTARY PUBLIC
MY COMMISSION EXPIRES:

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.3.i of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit____________________(initial here)

__________________________
Initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)

Updated: 12/10/2015
October 3, 2018

Meeting Notice: Planning and Zoning Board

Dear Property Owner:

The Planning and Zoning Board, acting as the Local Planning Agency (LPA), will hold a public hearing on **Wednesday, October 17, 2018 at 6:30 p.m.** in the City Commission Chambers, City Hall, 100 North Andrews Avenue, Fort Lauderdale, FL to determine whether the following application is found to be consistent with the Goals, Objectives and Policies of the Comprehensive Plan and the City’s Unified Land Development Code (ULDR).

**Case No:** Z18004

**Request:** Rezoning from Residential Multifamily Mid Rise/ Medium High Density (RMM-25) to Northwest Regional Activity Center - Mixed Use West (NWRAC-MUw)

**Legal Description:** Lots 9 & 10 of June Park P.B. 22, Page 16 Broward County Records, Less Portion for Road Right-of Way and that Portion of the East ½ of the Vacated Alley Adjacent to Loys 9 & 10, Broward County, Florida

**General Location:** 909 Sistrunk Boulevard.

**Commission District:** 3 – Robert L. McKinzie

Should you desire to comment on this request, you may attend the hearing or send comments in writing to the Department of Sustainable Development, Urban Design and Planning Division, 700 N. W. 19 Avenue, Fort Lauderdale, Florida, 33311. You may also submit email comments, and view the application and plans at: [http://www.fortlauderdale.gov/departments/city-clerk-s-office/advisory-boards-and-committees/agendas-and-minutes/planning-and-zoning-board](http://www.fortlauderdale.gov/departments/city-clerk-s-office/advisory-boards-and-committees/agendas-and-minutes/planning-and-zoning-board)

Sincerely,
Randall Robinson, Case Planner
Urban Design and Planning Division

If any person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you desire auxiliary services to assist in viewing or hearing the meetings or reading agendas and minutes for the meetings, please contact the City Clerk at (954) 828-5002 two (2) days prior to the meeting and arrangements will be made to provide these services for you. A turnkey video system is also available for your use during this meeting.
Legend

- Subject Site
- FTL Corp Limits

Z18004

Path: J:\DSD\DRCLocationMaps_16\RM\ArcMap\New\PZ20181017\Z18004LocMap.mxd