

**RESILIENT ENVIRONMENT DEPARTMENT
URBAN PLANNING DIVISION
STAFF REPORT**

**Rezoning 24-Z2: 17 NW 27th Avenue
Staff Report**

I. Rezoning Description.

A. Rezoning Details.

The Applicant proposes to rezone a site from RD-10: Duplex and attached one-family dwelling district and B3: Intense Commercial Business District to GP-1: Garden Park Neighborhood District and GP-2: Garden Park Corridor District, respectively. The approximately 1.71 net acre site is located in the Central County Community, on the west side of NW 27th Avenue, on the north side of NW 1st Street, on the east side of NW 27th Terrace, and south of NW 2nd Street (See Figures 1 and 2).

The Applicant's request is to rezone the property through the implementation of Broward County Land Use Plan (BCLUP) Policy 2.16.3 (POLICY). The POLICY provides for the allocation of residential density for projects that have an affordability component. (Attachment P). The Applicant's proposed project is for 100 affordable senior housing units. Affordability projects implemented by the POLICY do not require a land use amendment, however they do require a finding of compatibility by the Broward County Board of County Commissioners. Should the Board approve this rezoning request, any future development shall comply with all provisions of the POLICY.

Figure 1: General Location Map

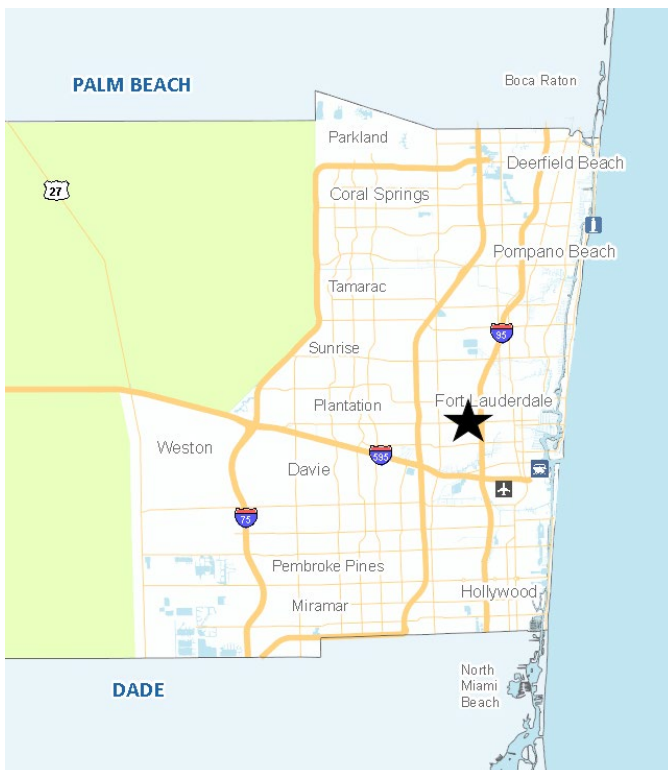


Figure 2: Proposed Rezoning Details

Site Location Map Central County (Attachment A)	North side of NW 1 st Street; East side of NW 27 th Terrace; South side of NW 2 nd Street; West side of NW 27 th Avenue.	
Effect of Rezoning	To provide up to 50 dwelling units per gross acre on the lots with Residential Land Use, and to Permit Residential on the lots with Commercial Land Use, provided the development complies with the POLICY.	
Size	1.71 net acres (2.27 gross acres).	
Existing Uses (Attachment B – Aerial Map)	Day Care/Nursery, Office, Retail, Multi-family, Single-family, Vacant	
Proposed Use	100 Affordable Multifamily Dwelling Units	
Current Zoning District (Attachment C)	RD-10: Duplex B-3: Intense Commercial Business District	
Proposed Zoning District (Attachment D)	GP-1: Garden Park Neighborhood District GP-2: Garden Park Corridor District	
BMSD Future Land Use Designation (Attachment E)	Low-Medium (10) Residential Commercial	
BCLUP Future Land Use Designation (Attachment F)	Low-Medium (10) Residential Commerce	
Commission District	District 8: Robert McKinzie	
Applicant/Agent	Landmark Development Corp.	
Property Owner	Loretta London, LLC	
Folio Numbers	NW 27th Terrace 504205131620 504205131640 504205131650 504205131651 504205131660	NW 27th Avenue 504205131780 504205131770 504205131760 504205131750 504205131730

B. Staff Recommendation

The Resilient Environment Department’s Urban Planning Division recommends that the Local Planning Agency (LPA) find the proposed rezoning consistent with the Broward County Comprehensive Plan.

C. Background

The subject site is located in the Boulevard Gardens neighborhood of the Central County Community. Attachment G includes a demographic profile. The property is an assemblage of ten (10) lots on approximately 1.71-acres. The site includes five (5) vacant parcels, a single-family home, multifamily residential, day care/nursery, office, and retail uses. The intent is to develop a 100-unit, affordable multifamily residential development. (See Figures 3, 4 and 5).

The Applicant proposes to construct an affordable senior living project consisting of two multifamily residential buildings. The building along NW 27th Terrace is proposed for

three (3) stories and the building along NW 27th Avenue is proposed for six (6) stories. All units will be:

- Deed restricted to low-income residents, defined as those earning 80% or less Broward County areas median income; and,
- Deed restricted for at least 80% of the units to be occupied by at least one person who is age 55 or older.

The deed restriction must be for 30 years as required by the POLICY. The net density of the proposed development would be 59 dwelling units per net acre, however, those portions of the property with a residential land use designation do not exceed 50 units per gross acres as provided by the POLICY.

Figure 3: Oblique Site View from the East



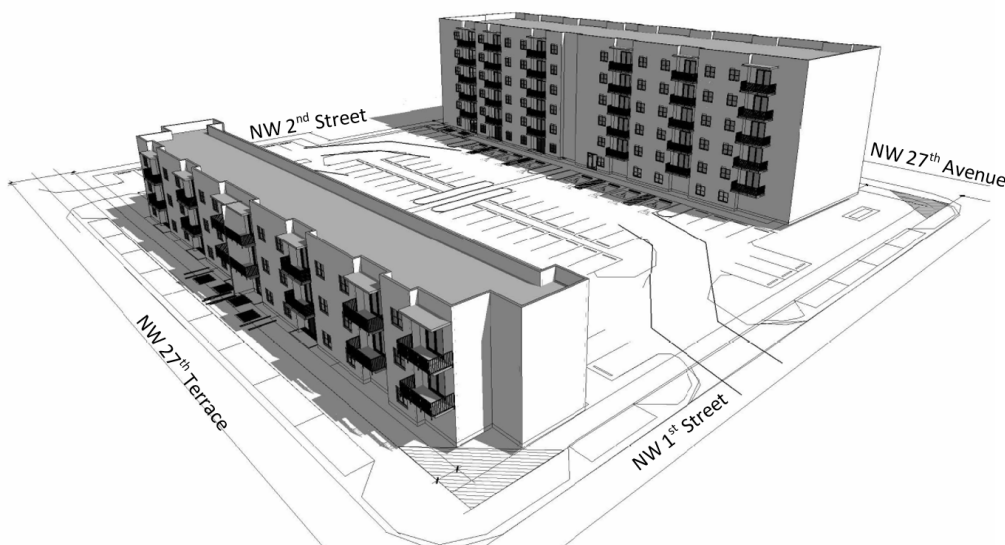
Source: Broward County Property Appraiser, 2023 Aerials.

Figure 4: Site Photographs



Source: Broward County Property Appraiser, 2023

Figure 5: Draft Conceptual Rendering (12/19/23)



Consistent with the intent of the Garden Park zoning districts:

- The GP-1 zoning district is proposed for the lots that front a local road (NW 27th Terrace) that are currently zoned RD-10 and have a land use designation of Low-Medium (10) Residential; and
- The GP-2 zoning district is proposed for the lots that front a collector road (NW 27th Avenue) that are currently zoned B-3 and have a land use designation of Commercial.

II. Summary of Evaluation Criteria.

The Broward County Zoning Code, Section 39-30 requires the Board of County Commissioners to consider eleven (11) factors when evaluating a rezoning request. These factors are addressed below.

A. Ambiguity/Error.

Staff finds that there is not an ambiguity or error.

B. Changing Conditions.

Broward County is nearly fully developed and population growth is expected to continue. (See Figure 6). Additional housing will primarily be achieved through urban infill and redevelopment of new multifamily housing. The BCLUP Policy 2.16.3 was adopted by the Broward County Board of County Commissioners to address future residential infill development.

Figure 6: Projected Additional Population

Broward County Population	1,944,375
Broward County Housing Units	860,329
Broward County Persons per Housing Unit	2.26
Proposed Additional Housing Units	100
Total Additional Population	226

Source: United States Census Bureau, 2020 Decennial Census

The site includes commercial uses along NW 27th Avenue. The area was first developed in the 1950s. The existing buildings are all over sixty years old and considered antiquated in comparison with current development. The interior of the neighborhood is characterized by single and multifamily housing interspersed by sporadic vacant lots. (See Figure 7).

Figure 7: Age of Structures

Folio	Year Built	Age
Lots Zoned RD-10 Proposed for GP-1)		
504205131660	Vacant	N/A
504205131651	Vacant	N/A
504205131650	Vacant	N/A
504205131640	Vacant	N/A
504205131620	1953	71
Lots Zoned B-3 Proposed for GP-2)		
504205131730	1960	64
504205131750	1958	66
504205131760	1963	61
504131205770	1952	72
504205131780	Vacant	N/A

Source: Broward County Property Appraiser, February 2024.

According to the 2022 Broward County Affordable Housing Needs Assessment, new multifamily housing development surpassed new single-family housing development between 2011 and 2012. The Study states that Broward County’s housing supply is aging with nearly 70 percent constructed prior to 1990. The study found that the Boulevard Gardens neighborhood, where the proposed rezoning site is located, had 487 housing units in 2020, of which 3.5% were multifamily.

The 2022 Broward County Affordable Housing Needs Assessment also indicates that Broward County has a rental unit supply gap of nearly 75,000 housing units for Low, Very Low, and Extremely Low-Income renter households. The Study further shows that while the South Florida Region gained rental housing in the \$1,250 per month and above cost between 2016 and 2020, it lost rental housing below \$1,250 per month.

The Broward County Affordable Housing Needs Assessment, September 2022, identifies low-income limits by the number of persons in the family:

Figure 8: Fort Lauderdale Metro Area – Low-Income by Persons in Family 80% Annual Median Income

1	2	3	4	5	6	7	8
\$50,800	\$58,050	\$65,300	\$72,550	\$78,400	\$84,200	\$90,000	\$95,800

Source: HUDuser.gov; FY 2022 Income Limits Summary

The Broward County Comprehensive Plan’s Broward Municipal Services District Land Use and Community Planning Element identifies the need to redevelop commercial corridors that are characterized by small lots, fragmented ownership, and high vacancy

rates. The proposed rezoning is an assemblage of ten lots, five are vacant. The five developed lots are occupied by buildings constructed between 1952 and 1963 that are now between 64 and 72 years old. The existing development pattern is obsolete.

Staff finds the proposed rezoning will:

- *Allow urban infill and redevelopment consistent with the intents and purposes of the GP-1 and GP-2 zoning districts;*
- *Facilitate a cohesive development of multifamily, affordable housing development, in which 80% of the units must be occupied by at least one person age 55 or older.*

C. Applicant Testimony.

Verbal and written testimony from the applicant will be considered by the Local Planning Agency and Board of County Commissioners at public hearings.

D. Staff Recommendation.

See Section I.B.-Staff Recommendation

E. Public Testimony

Verbal and written testimony from the public will be considered by the Local Planning Agency and Board of County Commissioners at public hearings.

F. Consistency with Goals, Objectives (GOP), and Policies of the Broward County Comprehensive Plan.

1. Broward Municipal Services District Element

Goal BMSD 1, Policies BMSD 1.1.5, BMSD 1.1.6, BMSD 1.1.7, BMSD 1.1.9, 1.1.10, Goal MSD 2, Objective BMSD 2.1-Planning and Redevelopment, Policy BMSD 2.1.1, Policy BMSD 2.1.7, Policy BMSD 2.1.10, Policy BMSD 2.1.17, Policy BMSD 2.1.28, Policy BMSD 4.1.4, Policy BMSD 4.5.4.

2. Housing Element

Housing Element Goal; Objectives H1, H2; Policies, H1.3, H1.5, H1.7, H2.6., BCLUP Policy 2.16.3. (See Attachment H)

The application indicates that all 100 dwelling units will be deed restricted to low-income residents and 80% of the units must be occupied by at least one person age 55 or older. Rezoning the property shall require any subsequent development to be to comply with affordability requirements of the POLICY for a minimum of thirty (30) years. This requirement shall be recorded as a restrictive covenant on the property in the public records of Broward County, Florida.

The applicant submitted a draft conceptual site plan dated December 19, 2023, that proposes 71 dwelling units on the B-3 portion of the site that is proposed for GP-1 and 19 dwelling units on the RD-10 portion of the site that is proposed for GP-2. The applicant has requested a total of 100 units, ten more than shown on the draft conceptual site plan.

Figure 9: Density per Conceptual Site Plan Dated 12/19/23

Current Zoning	Units Allowed	Proposed Zoning	Units Proposed	Net Acres	Proposed Density
RD-10	8.3	GP-2	19	0.83	23
B-3	0	GP-1	71	0.88	80
Total			90	1.71	52

The applicant is advised of the following:

1. The voluntary commitment to provide age-restricted, affordable housing units is subject to the execution and recordation of two (2) separate agreements with Broward County, acceptable to the County Attorney’s Office, one that restricts the additional 100 dwelling units as low-income affordable housing units for a period of 30 years and the other designating at least 80% of the proposed units for residents 55 years of age or older.
2. Pursuant to Broward County Land Use Plan (BCLUP) Policy 2.16.3. residential density is subject to the following:
 - a. Land having BCLUP Low-Medium (10) Residential future land use designation shall not exceed a residential density of fifty (50) dwelling units per acre.
 - b. Land having BCLUP Commerce designation, shall not have a maximum density.
3. Projects certified as very low or low-income housing projects are eligible for 100% waiver of County park impact and transportation concurrency fees. Projects certified as low or very low may also be eligible for a full waiver of school impact fees, up to \$50,000 per project, if approved by the School Board of Broward County. To obtain the fee waiver, a Declaration of Restrictive Covenant for Affordable Housing must be applied to the property that ensure the rental units will be affordable for at least 20 years.

3. Other Comprehensive Plan Elements

- a. Recreation and Open Space Element: Objective R3 and Policy R3.2 that address local and regional park level-of-service standards.
- b. Solid Waste Element: Objective 6.3, Policy 6.3.1 that address solid waste disposal level-of-service standards.
- c. Transportation Element:
 - Policy T1.1.11 that addresses coordinating multi-modal use rights-of-way with appropriate supporting land uses, urban form, and densities necessary to support transit-oriented development.
 - Policy T2.2.4 that addresses:
 - Locating residential densities greater than ten dwelling units per acre with adequate access to major and minor arterials roadways, expressways, and public transit routes.
 - Designating sufficient acreage on the BMSD Comprehensive Plan Map Series to provide a range of housing opportunities and a mix of land uses so that housing opportunities are within a 30-minute commute to employment.
 - Objective 2.4 that addresses analyzing impacts from land use changes based on a context-sensitive methodology.

d. Water Management Element:

- Policies WM 3.1 and WM 3.2 that provide for adequate potable water and sanitary sewer facilities.
- Policy WM 3.14 that provides for the protection of water quality and adequate storm water management.
- Policy WM 3.15 that requires applications for future land use map amendments in flood prone areas to be served by adequate storm water management and drainage facilities.
- Policy WM 4.2 that requires Broward County to continue to coordinate the provision of potable water and sanitary sewer facilities through agreement with municipalities.

Staff finds the rezoning is consistent with the goals, objectives, and policies of the Broward County Comprehensive Plan and notes additional applicable goals, objectives, and policies are referenced throughout the comments from the various review agencies.

G. Comprehensive Plan Consistency-Densities, Intensities, and General Uses.

Staff finds the rezoning is consistent with the bonus density provisions set forth in Broward County Land Use Plan Policy 2.16.3 and general uses set forth in the Low-Medium (10) Residential and Commercial future land use designations of Broward County Comprehensive Plan’s Broward Municipal Services District Element.

H. Environmental and Historic Resources.

The proposed application was reviewed for impacts to environmental and historic resources and archaeological resources (See Attachments I and J).

Figure 10: Environmental Conditions

Type	Impact
Contaminated Sites within ¼-mile	The subject site is located within ¼ mile of two (2) contaminated sites. Any dewatering requires approval of a Dewatering Plan from the Environmental Permitting Division.
Active Solid Waste Facilities within one (1) mile	One (1) No Impact.
Wetlands	None.
FEMA Special Flood Area Hazard	Yes – Zone VE. The required Case Floor Elevation is 8 feet NAVD. A Broward County Surface Water Management License and Environmental resource Permit is required.
Upland Resources	Broward County Tree Removal License is required to remove or relocate trees.
Hazardous Material Facilities/Storage Tanks within ¼ mile	Fifteen (15). Hazardous materials can leak and travel through the soil and underground and contaminate drinking water source.
Wellfield Zone of Influence	No.
SARA Title III Facilities within ¼ mile	One (1)
Air Permitted facilities within ½ mile	One (1)
Facilities with potential odor or noise problems	None.

Type	Impact
Specially Designated Areas	None.
Protected Natural Lands	None.
Marine and Riverine Resources	None.
Priority Planning Areas for Sea Level Rise	None.
Water Recharge Capability	No impact (Decrease in water recharge capabilities expected to be insignificant)
Potable Water Impact	None.

Certain activities may require an Environmental Resource License. Prior to undertaking surface disturbing activities, contact the Environmental Permitting Division at 954-519-1483 or AWRLicense@broward.org for specific code requirements.

Staff encourages the following:

1. *Air quality measures are recommended, such as promoting use of transit, ridesharing, alternative fuel vehicles and infrastructure, bikeways and bicycle storage facilities, and pedestrian-friendly designs that include native shade trees.*
2. *Use Broward County’s preferred lighting standards to minimize sky glow and lighting disturbance of wildlife.*
3. *Consider recommendation of Broward County’s Climate Change Action Plan throughout the development process.*
4. *Coordinate development with the NatureScape Broward Program.*

Staff finds that compliance with various environmental licensing and permitting requirements will mitigate any potential negative environmental impacts.

I. Infrastructure Capacity.

The proposed rezoning site is served by the full complement of urban services. (See Attachments K to O).

Staff finds that infrastructure capacity is expected to be available to serve the rezoning site.

J. Compatibility of Existing and Proposed Uses.

Compatibility is “a condition in which land uses or conditions can co-exist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted either directly or indirectly by another use or condition.” Staff evaluates compatibility based upon the characteristics of the proposed use in relation to the surrounding uses.

The Comprehensive Plan’s Broward Municipal Services District Element Policy BMSD 1.1.7 states that “future land uses shall be compatible with adjacent land uses and shall protect existing single-family neighborhoods from incompatible development.”

Figure 11: Site and Surrounding Land Uses

Location	Existing Land Use	Allowed Density	Current Zoning	Current BMSD Future Land Use	Current Future Land Use-BCLUP
Subject Site	Commercial plaza (Auto parts store, restaurant), Vacant, Single-family	Not applicable	B-3: Intense Commercial Business	Commercial	Commerce
North	Vacant, Multi-family residential	Ten (10) du/acre	RD-10: Duplex/Attached One-Family, B-3: General Commercial Business	Low-Medium (10) Residential, Commercial	Low-Medium (10) Residential, Commerce
East	Broward County Public Safety Complex	Not applicable	CF: Community Facilities	Industrial	Commerce
South	Auto parts, Fast food w/ drive-through, Billboard	Not applicable	B-2: General Commercial Business	Commercial	Commerce
West	Single-family residential, duplex	Ten (10) du/acre	RD-10: Duplex/Attached One-Family	Low-Medium (10) Residential	Low-Medium (10) Residential

The site occupies approximately two-thirds of an underdeveloped block that is comprised of vacant lots and dissimilar land uses (i.e. auto parts store, restaurant, multi-family, single-family, day care/nursery, office).

The site fronts a four-lane divided collector roadway, with a 94 feet right-of-way. The lot sizes range from 3,145 square feet to 14,207 square feet. It is difficult to accommodate development consistent with requirements for parking, yards, setbacks, compatibility, and other development criteria due to the small lot sizes.

Figure 12: Existing Development Data

Folio	Dwelling Units	Total Buildings	Building Square Feet	Lot Size
Lots Zoned RD-10 (Proposed for GP-1)				
504205131620	1	1	648	9,002
504205131640	0	0	0	9,002
504205131650	0	0	0	6,001
504205131651	0	0	0	6,001
504205131660	0	0	0	6,001
Subtotal	1	1	648	36,007
Lots Zoned B-3 (Proposed for GP-2)				
504205131780	0	0	0	3,415
504205131770	8	1	2,710	6,878
504205131760	0	1	2,400	6,942
504205131750	0	1	4,245	7,007
504205131730	0	1	1,800	14,207
Subtotal	8	4	11,155	38,449
Total	9	5	11,803	74,456

Source: Broward County Property Appraiser, February 2024

The surrounding existing and planned land uses follow a traditional step-down land use pattern, with more intense residential, community facility, and commercial uses located along the primary transportation corridors of NW 27th Avenue and Broward Boulevard. Consistent with this traditional step-down land use pattern, the proposed rezoning applies the more intense GP-2 district along NW 27th Avenue, with the less intense GP-1 district along NW 27 Terrace, thus providing a step-down district as a transition to the neighborhood.

The GP-1 District will be located across the street from an RD-10 District. The RD-10 District allows a height of 35 feet, while the GP-1 District allows a building height of 40 feet. The additional five (5) feet of height is expected to have a minimal impact since the buildings within each district are expected to be separated by approximately 83 feet. The 83 feet separation includes the 50 feet right-of-way for NW 27th Terrace, the 15 feet setback required by the GP-1 district, and the 18 feet setback of the RD-10 district.

Figure 13: Selected Zoning District Requirements

Standard	Zoning District			
	GP-2	GP-1	B-3	RD-10
Height and Stories				
Maximum Height	70'	40'	35'	35'
Minimum Stories	2	N/A	1	1
Maximum Stories	6	3	N/A	2
Active Roof Top Uses Allowed	Yes	Yes	No	No
Minimum Dwelling Unit Floor Area	400 sq. ft. minimum with average of 600 sq. ft.	400 sq. ft. minimum with average of 600 sq. ft.	400 sq. ft. minimum (accessory)	800 sq. ft.

Standard	Zoning District			
Maximum Lot Coverage	As permitted by setbacks	40%	35%	40% (65% when Single-family)

Staff finds the proposed rezoning allows a circumstance in which land uses or conditions can co-exist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted either directly or indirectly by another use or condition.

K. Oceanfront Properties Considerations.

Not applicable.

III. Attachments (See Exhibit 4)

- Attachment A: Site Location Map
- Attachment B: Aerial Map
- Attachment C: Current Zoning Map
- Attachment D: Proposed Zoning Map
- Attachment E: Broward Municipal Services District Future Land Use Map
- Attachment F: Broward County Land Use Plan Future Land Use Map
- Attachment G: Demographic Profile – Boulevard Gardens
- Attachment H: Housing Comments
- Attachment I: Environmental Resources Comments
- Attachment J: Historic and Archaeological Resources Comments
- Attachment K: Potable and Wastewater Comments
- Attachment L: Drainage Comments
- Attachment M: Complete Streets Comments
- Attachment N: School Consistency Review
- Attachment O: Recreation and Open Space Comments
- Attachment P: Broward County Land Use Plan Policy 2.16.3