

REQUEST: Site Plan Level IV Review / Rezoning from Residential Low Rise Multifamily/Medium Density District (RM-15) to Exclusive Use – Parking Lot (X-P) with Commercial Flex Allocation.

Case Number	7ZR12
Applicant	Second Avenue Properties / Boat Owners Warehouse
General Location	SE corner of SE 3rd Avenue and State Road 84
Property Size	33,078 SF (.759 acres)
Existing Zoning	Boulevard Business (B-1) and Residential Low Rise Multifamily/Medium Density District (RM-15)
Proposed Zoning	Exclusive Use - Parking Lot (X-P) on lot currently zoned RM-15
Existing Use	Retail Sales and Vacant Lot
Proposed Use	Parking lot for proposed retail store expansion
Future Land Use Designation	Commercial, Medium Residential
Applicable ULDR Sections	47-9.20, X-District Rezoning Criteria 47-24.4, Rezoning Criteria 47-25.2, Adequacy Requirements 47-25.3, Neighborhood Compatibility 47-28, Flexibility Rules 47-23.9, Interdistrict Corridor Requirements
Project Planner	Thomas Lodge, Planner II

PROJECT DESCRIPTION:

The applicant proposes to construct a 2,492 square foot expansion of the existing 7,120 square foot retail store and parking lot across the alley to the north, located on the northwest corner of State Road 84 and SW 3rd Avenue. The request includes the rezoning a 6,175 square foot parcel of land, located at the northwest corner of SW 3rd Avenue at the intersection of the 16-foot alley which runs through the site, from Residential Low Rise Multifamily/Medium Density District (RM-15) to Exclusive Use - Parking lot (X-P) in order to construct a surface parking lot that will serve the use.

PRIOR REVIEWS:

The Development Review Committee reviewed the current proposal on August 14, 2012. All comments have been addressed.

REVIEW CRITERIA:

As per ULDR Section 47-24.4.D, an application for a rezoning shall be reviewed in accordance with the following criteria:

1. The zoning district proposed is consistent with the City’s comprehensive plan.

The parking lot site is designated Medium Residential on the City’s Future Land Use Map. The X-P zoning designation is consistent with the City’s Comprehensive Plan in that the proposed rezoning is permitted in this land use category, subject to the allocation of commercial flexibility acreage. The property is located in Flex Zone 56, which has 38.57 commercial acres available for allocation. Applicant is requesting an allocation of .141 acres of commercial flexibility.

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

The surrounding properties to the east, west and north are zoned Residential Low Rise Multifamily/Medium Density District (RM-15) and have a Medium Residential Land Use Designation. The properties to the south on the north side of State Road 84 are zoned Boulevard Business (B-1) and have a Commercial Land Use designation. The X-district provides an opportunity to maintain the viability for certain low intensity commercial uses in proximity within a residential area in a manner that is compatible with the residential character of the area.

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.

This site is currently vacant. The proposed X-P zoning district is intended to be restricted to parking only and serves as a buffer between the existing residential and commercial area. The proposed rezoning would not represent a substantial change to the character of the surrounding area.

As per ULDR Section 47-9.20.C, an application for a rezoning to an X district shall be reviewed in accordance with the following criteria:

1. The proposed site and use meet the conditions and performance criteria provided in this section.

The applicant has provided a narrative addressing ULDR section 47-9.20.C to help the Board make its determination.

2. The height, bulk, shadow, mass and design of any structure located on the site is compatible with surrounding properties and is consistent with the goals and objectives for the location of the property as provided in the comprehensive plan.

There are no structures being proposed on the site being rezoned to X-P. On the B-1 portion, the applicant is proposing a one-story, 2,492 square foot one-story addition to the existing 20-foot high building. The addition is 18-feet in height.

The applicant has provided a narrative response to the criteria, including responses to Section 47-25.2, Adequacy Requirements and Section 47-25.3, Neighborhood Compatibility Requirements provided as Exhibit 1 to demonstrate compliance with the criteria, attached as Exhibit 1. Staff concurs with applicant's assessment.

Parking, Traffic and Circulation:

Vehicular ingress into the parking lot is provided from State Road 84 and from the alley to the north of the site. The new parking lot across the alley to the north includes a single ingress, which leads out to SW 3rd Avenue. A total of 39 parking spaces are required for the proposed expansion. Twenty-six (29) spaces are proposed on the building site, and ten (10) are proposed on the X-P site as follows:

As per ULDR Sec. 47-20, Parking Requirements:

Retail (9,612 square feet) @ 1/250 square feet = 39

TOTAL 39 parking spaces required
39 parking spaces provided

The applicant is adding a pedestrian walkway from the existing sidewalk along State Road 84 to the main entrance of the building, as well as a new 5-foot sidewalk along SW 3rd Avenue including shade trees and shrubs along State Road 84 and SW 3rd Avenue to improve the pedestrian experience.

STAFF FINDINGS:

Staff recommends the Board approve this request consistent with:

ULDR Sections:

- 47-9.20, X-District Rezoning Criteria
- 47-24.4, Rezoning Criteria
- 47-25.2, Adequacy Requirements
- 47-25.3, Neighborhood Compatibility
- 47-28, Flexibility Rules
- 47-23.9, Interdistrict Corridor Requirements

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 47-26B, Appeals.

EXHIBITS:

1. Applicant's narrative responses addressing applicable ULDR requirements