



REQUEST: Rezoning from Residential Multifamily Mid Rise - Medium High Density (RMM-25) District to Northwest Regional Activity Center- Mixed-Use east (NWRAC-MUe) District

Case Number	UDP-Z22004	
Applicant	First Ebenezer Missionary Christian Church Inc	
Agent	Stephanie Toothaker, Esq.	
General Location	312 NW 7 th Street; East of NW 4 th Avenue, West of NW 3 rd Avenue, South of NW 7 th Street and North of 613 NW 3 Avenue	
Property Size	101,256 Square Feet (2.32 Acres)	
Zoning	Residential Multifamily Mid Rise - Medium High Density (RMM-25) Zoning District	
Proposed Zoning	Rezoning from RMM-25 to Northwest Regional Activity Center-Mixed-Use east (NWRAC-MUe) Zoning District	
Existing Uses	Vacant/ Church	
Future Land Use Designation	Northwest Regional Activity Center (NWRAC)	
Applicable ULDR Sections	47-24.4., Rezoning 47-25.2., Adequacy Requirements	
Notification Requirements	Sec. 47-27.6, Sign Notice Sec. 47-27.4, Public Participation Sec. 47-27.6 Mail Notice	
Section 166.033, Florida Statutes	180-day Expiration Date	Extension Date (s)
	December 3, 2022	No Extension
Action Required	Approve, Approve with Conditions, or Deny	
Project Planner	Adam R. Schnell, Urban Planner III	<i>AS</i>

PROJECT DESCRIPTION:

The applicant is seeking to rezone five properties generally located at 312 NW 7th Street; east of NW 4th Avenue, west of NW 3rd Avenue, south of NW 7th Street and north of 613 NW 3 Avenue, totaling 2.32 acres of land from Residential Multifamily Mid Rise - Medium High Density (RMM-25) District to Northwest Regional Activity Center Mixed Use east (NWRAC-MUe) District. If approved, the NWRAC-MUe District will extend northbound between NW 4th Avenue and NW 3rd Avenue, up to NW 7th Street and would encompass 312 NW 7th Street, 616 NW 4th Avenue, 623 NW 3rd Avenue, and 647 NW 3rd Avenue, excluding 624 NW 4th Avenue. The existing sites are currently comprised of vacant land, multifamily residential uses, and the First Ebenezer Missionary Christian Church. At this time, development plans on the subject parcels have not been submitted with the rezoning application.

The application, survey, area map, and sketch and legal description of the area proposed for rezoning are attached as **Exhibit 1**. Property owner affidavits are attached as **Exhibit 2**. The applicant's narrative responses to criteria are attached as **Exhibit 3**.

REVIEW CRITERIA:

Pursuant to 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.

Rezoning the property to NWRAC-MUe is consistent with NWRAC future land use. The NWRAC is intended to encourage redevelopment and expansion of employment and housing opportunities within the area. The proposed rezoning is consistent with the City's Comprehensive Plan applicable goals, objectives, and policies, specifically Future Land Use Element Goal 2, Objective 2.4, which encourages revitalization of redevelopment areas and redevelopment to be consistent with the Northwest/Progresso/Flagler Heights Redevelopment Plan. Reference below section, titled Comprehensive Plan Consistency, for additional information.

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

The proposed rezoning of the property to NWRAC-MUE will not adversely impact the character of development in or near the area under consideration. The property is surrounded by properties zoned RMM-25 to the north and east, Commercial/Light Industrial Business (B-3) to the west, and NWRAC-MUE to the south. The Northwest/Progresso/Flagler Heights Redevelopment Plan promotes the renovation of existing structures, with new infill development to help support local commerce and community revitalization. Rezoning of properties to NWRAC-MUE is in alignment with the neighborhood's goal of supporting redevelopment opportunities and has the potential of increasing housing opportunities and local employment. Housing is needed to support new businesses and ensures higher levels of purchasing power through increases in density, helping to fortify the economic vitality of existing future businesses in the Progresso Village Neighborhood.

3. The character of the area proposed is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses.

The NWRAC Master Plan is intended to promote and enhance the existing mix of uses and character of the NWRAC by providing for a wide range of employment, shopping, services, cultural and residential opportunities, with a mixture of residential and non-residential uses. Rezoning to NWRAC-MUE would ensure compliance with the development standards required by the NWRAC Master Plan. Pursuant to ULDR Section 47-13.29, Design Standard Applicability, future developments are required to meet the Northwest Regional Activity Center Design Standards, which include but are not limited to building orientation, architectural requirements, open space, vehicular and pedestrian access, building materials, active ground floor uses and facades. Additional standards for parking facilities, landscaping, signage, and streetscapes will also be applied during the development review process at the time of site plan application to further ensure neighborhood compatibility.

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 east (NWRAC-MUE).

Table 1: General Comparison of Permitted Uses

Existing Zoning District	Proposed Zoning District
RMM-25	NWRAC-MUE
Residential Uses	Automotive
Lodging	Boats, Watercraft and Marinas
Mixed-use Development	Commercial Recreation
Public Purpose Facilities	Food and Beverage Sales and Service
Child Day Care Facilities	Lodging
Accessory Uses, Buildings and Structures	Public Purpose Facilities
Urban Agriculture	Residential Uses
	Services/Office Facilities
	Storage Facilities
	Conditional Uses
	Car Wash, Automatic
	Charter and Sightseeing Boat
	Marina

	Watercraft Repair, Minor Repair
	Watercraft Sales and Rental, New or Used
	Communication Towers, Structures, and Stations
	Hospital, Medical and Public Health Clinic
	Social Service Residential Facility
	Child Day Care Facilities, Large
	Nursing Home
	Watercraft Sales and Rental, new or used when accessory to a Marina

Reference Table 2 below for a general comparison of dimensional requirements for each district. For a complete list of dimensional requirements reference ULDR Section 47-5.36. - Table of Dimensional Requirements for the RMM-25 District and ULDR Section 47-13.31. - Table of Dimensional Requirements for the NWRAC-MU District.

Table 2: Comparison of Dimensional Requirements

Requirements	Existing Zoning District	Proposed Zoning District
	RMM-25	NWRAC-MUe
Maximum building height (ft.)	55'	65' By Right (110' Affordable Housing Height +Incentive Request)
Minimum front yard (ft.):	25'	0'
When Abutting Residential	N/A	15'
Minimum side yard (ft.):	5'	0'
When Abutting Residential	N/A	15'
Minimum rear yard (ft.):	15'	0'
When Abutting Residential	N/A	15'
Corner yard(ft.)	No Less than 10'	None
Min. Building Shoulder Height (ft.):	None	25' (2 Stories) Min
Max. Building Shoulder Height (ft.):	None	65' (5 Stories) Max

COMPREHENSIVE PLAN CONSISTENCY

The property is designated Northwest Regional Activity Center on the City's Future Land Use Map. The proposed rezoning and associated uses are consistent with the NWRAC future land use designation.

The NWRAC is intended to encourage redevelopment and expansion of employment and housing opportunities within the area. Further, the proposed rezoning is consistent with the City's Comprehensive Plan applicable goals, objectives, and policies, specifically Future Land Use Element Goal 2, Objective 2.4, which encourages revitalization of redevelopment areas and redevelopment to be consistent with the Northwest/Progresso/Flagler Heights Redevelopment Plan.

The proposed rezoning is also supported by Future Land Use Element, Goal 2 Objective FLU 2.3: Mixed-Use Development Multimodal Environment, which encourages mixed-use development to help support active and vibrant neighborhoods through well integrated land use combinations. The Progresso Village Neighborhood contains a mixture of single family and small multifamily developments. The expansion of the NWRAC-MUe zoning district will help support the diversification of housing types through the promotion of larger multifamily development opportunities. An increase in local purchasing power will further support local commerce. Furthermore, the overlying Master Plan requirements that would apply to the NWRAC-MUe Zoning District, promotes the integration of

active first floor commercial uses, such as coffee shops, restaurants, and bars, helping to promote a walkable community by providing opportunities to establish local shops and stores.

PUBLIC PARTICIPATION

The application is subject to the public participation requirements established under ULDR Section 47-24.1. F.14. Per the applicant, mail notifications were sent to property owners within 300 feet of the subject property and a virtual public participation meeting was held on June 20, 2022, to offer the neighborhood and surrounding properties the opportunity to learn about the proposed rezoning. The public participation meeting had four people in attendance.

In addition, this request was subject to sign notification requirements established in ULDR, Section 47-27.4. The applicant posted three signs on the property and has met the requirements of this section. The public participation meeting summary and affidavits are attached as **Exhibit 4**.

PLANNING & ZONING BOARD REVIEW OPTIONS:

The Planning and Zoning Board shall consider the application based on the review criteria of ULDR Section 47-24.4, Rezoning, found herein.

If the planning and zoning board determines that the application meets the criteria as provided in Section 47-24.4, Rezoning, 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. Application, Area Map, Survey, and Sketch and Legal Description
2. Property Owner Affidavits
3. Applicant's Narrative Responses to Criteria
4. Public Participation Meeting Summary and Affidavits