

**REQUEST:**

Rezoning from Residential Mid Rise Multifamily/Medium High Density District (RMM-25) to Community Facility-House of Worship (CF-H)

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| <b>Case Number</b>                 | 10Z12  |
| <b>Applicant</b>                   | New Mount Olive Baptist Church, Inc.                                   |
| <b>General Location</b>            | South side of NW 5 Street between NW 9 Avenue and NW 8 Avenue          |
| <b>Property Size</b>               | 86,062 SF (1.97 acres)   |
| <b>Current Zoning</b>              | Residential Mid Rise Multifamily/Medium High Density District (RMM-25) |
| <b>Existing Use</b>                | Vacant   |
| <b>Proposed Use</b>                | Parking  |
| <b>Future Land Use Designation</b> | Northwest Regional Activity Center                                     |
| <b>Applicable ULDR Sections</b>    | Sec. 47-24.4 Rezoning Criteria<br>Sec. 47-25.2 Adequacy Criteria       |
| <b>Project Planner</b>             | Thomas Lodge, Planner II   |

**PROJECT DESCRIPTION:**

The applicant is requesting to rezone a 86,062 square-foot parcel of land, located on the south side of NW 5 Street between NW 9 Avenue and NW 8 Avenue, from Residential Mid Rise Multifamily/Medium High Density District (RMM-25) to Community Facility-House of Worship (CF-H) for a new parking lot associated with the expansion of the New Mount Olive Baptist Church, also scheduled on this agenda. The legal sketch and description is included in the plan sets.

**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 site is designated Northwest Regional Activity Center on the City's Future Land Use Map. The proposed rezoning is consistent with the City's Comprehensive Plan in that the proposed parking lot use is permitted in this Land Use category.

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

The surrounding properties to the east and north are zoned Residential Mid Rise Multifamily/Medium High Density District (RMM-25), the property to the west across NW 9 Avenue is zoned Residential Single Family/Cluster Dwelling/Low Medium Density District (RC-15), and the property to the south of the site is zoned Community Facility-House of Worship (CF-H). The site of the existing church is currently zoned CF-H. The parcels to be rezoned will accommodate new parking and allow the project to meet parking requirements for the expansion of the existing church and addition of the new chapel.

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

The proposed rezoning would not represent a substantial change to the character of the surrounding area. A number of the parcels in close proximity to the site are currently vacant. The house or worship has existed at this location for the past 94 years. The rezoning will enable the house or worship use to redevelop and accommodate associated parking on the subject parcels.

The applicant has provided a narrative response to the criteria, which is attached as Exhibit 1. Adequacy criteria are attached as Exhibit 2. Staff concurs with applicant's assessment.

**STAFF FINDINGS:**

Staff recommends the Board approve this request consistent with:

ULDR Sec. 47-24.4 Rezoning Criteria  
ULDR Sec. 47-25.2 Adequacy 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 47-26B, Appeals.