

**REQUEST:** Rezone Residential Mid Rise Multifamily/Medium High Density District (RMM-25) to X-Exclusive Use Parking Lot (X-P).

<b>Case Number</b>	ZR14002
<b>Applicant</b>	Prestons Holding Land Trust
<b>Property Address</b>	223 SE 10 <sup>th</sup> Terrace
<b>Property Size</b>	8,250 square feet/0.19 acres
<b>Legal Description</b>	Colee Hammock 1-17 B Lot 1, Lot 2 E1/2 Block 14.
<b>Current Zoning</b>	Residential Mid Rise Multifamily/Medium High Density District (RMM-25)
<b>Proposed Zoning</b>	X-Exclusive Use District (X-P)
<b>Existing Use</b>	Vacant
<b>Proposed Use</b>	Parking Lot
<b>Future Land Use Designation</b>	Medium High (25) Residential
<b>Applicable ULDR Sections</b>	Sec. 47-9 X-Exclusive Use District Sec. 47-24.4 Rezoning Criteria Sec. 47-25.2 Adequacy Criteria Sec. 47-28 Flexibility Rules
<b>Project Planner</b>	Lorraine Tappen, AICP, LEED Green Associate, Planner III

**PROJECT DESCRIPTION:**

The applicant is requesting to rezone a parcel of land located one block north of Las Olas Boulevard at the southwest corner of the intersection of S.E. 10<sup>th</sup> Terrace and S.E. 2<sup>nd</sup> Court to X-Exclusive Use Parking Lot (X-P). Please see location map included with the staff report. The legal sketch and description of the area to be rezoned is included in the plan sets.

Per ULDR Section 47-9.1, the intent of the Exclusive Use District “is to protect the character of existing residential neighborhoods adjacent to commercial areas while supporting the viability of the commercial areas.” The applicant has indicated that the property will be developed as a surface parking lot with potential for public parking that would be available for visitors patronizing Las Olas Boulevard businesses. Associated site improvements include perimeter landscape treatments with shade trees. The design and placement of pay stations will be coordinated between applicant and the City prior to permit submittal. No structure is planned for this site at this time.

**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 site is designated Medium High Residential (25 dwelling units per acre) on the City's Future Land Use Map. The proposed use is permitted in this designation subject to utilizing commercial flex acreage. The property is located in Flex Zone 49 which has 25.6 acres of commercial flex acreage available. The applicant is requesting an allocation of 0.19 commercial flex acres for this site.

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

The properties surrounding the applicant’s project site include an existing parking lot, commercial development, and residential uses. The property to the west is also zoned X-Exclusive Use Parking Lot (X-P) and provides general parking for the area. This rezoning would expand the X-Exclusive Use Parking Lot (X-P) District and allow additional parking to support businesses along

Las Olas Boulevard. The properties to the south of the proposed parking lot have commercial uses and face Las Olas Boulevard. Properties to the north, northeast and west are multifamily residential and vacant multifamily residential properties.

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. The property immediately adjacent to the west is zoned X-Exclusive Use (X-P). The properties to the south are zoned B-1 Boulevard Business. The surrounding properties to the north and west are zoned Residential Mid Rise Multi Family/Medium Density District (RMM-25). The context of the area supports the proposed rezoning in that parking will be complementary to Las Olas Boulevard businesses and compatible with existing residential uses.

The applicant has provided a narrative response to the criteria, which is provided in the plan sets. Staff concurs with applicant's assessment.

**STAFF FINDINGS:**

Staff recommends the Board approve this request as proposed and consistent with:

- Sec. 47-9 X-Exclusive Use District
- Sec. 47-24.4 Rezoning Criteria
- Sec. 47-25.2 Adequacy Criteria
- Sec. 47-28 Flexibility Rules

The applicant has provided a narrative response to the criteria, attached to the plan sets. Staff concurs with applicant's assessment.

**CONDITIONS OF APPROVAL:**

Should the Planning and Zoning Board recommend approval of the development, the following conditions are proposed:

1. The design and placement of pay stations will be coordinated between applicant and the City prior to permit submittal.

**PLANNING and 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 ULDR Section 47-26B, Appeals.