



REQUEST:

Site Plan Level IV Review; Rezone from General Industrial (I) to General Business District (B-2) with Commercial Flex Allocation of 2.57 acres for a 5,911 square-foot Convenience Store with Gas Station and 3,999 square feet of Restaurant Use.

Case Number	ZR16001	
Applicant	BW Cypress Creek Powerline, LLC.	
General Location	900 NW 62 Street	
Property Size	111,718 square feet / 2.57 acres	
Current Zoning	General Industrial (I)	
Proposed Zoning	Business District (B-2)	
Existing Use	Vacant lot and gas station	
Proposed Use	5,911 square foot Convenience Store with Gas Station and 3,999 square feet of Restaurant Use	
Future Land Use Designation	Employment Center	
Applicable ULDR Sections	47-5.36, Table of Dimensional Requirements for the B-2 47-24.4, Rezoning Criteria 47-28, Flexibility Rules 47-25.2, Adequacy Requirements 47-25.3, Neighborhood Compatibility Requirements	
	Required	Proposed
Lot Density	N/A	N/A
Lot Size	N/A	111,718 square feet (2.57 acres)
Lot Width	N/A	280'
Building Height	150' max	33'-4", 24'-3"
Structure Length	N/A	93', 40'
Floor Area	N/A	5,911 SF, 3,999 SF
Landscape Area	10,849 SF min	10,880 SF
Parking	84	85
	Required	Proposed
Setbacks/Yards		
Front (E)	5'	56.2' to Wawa, 49.5' to Gas Pumps Canopy
Front (N)	N/A	81.2' to Wawa, 55.8' to Chick-fil-A
Side (S)	N/A	187.7' to Chick-fil-A, 64.4' to Wawa
Rear (W)	N/A	50.6' to Chick-fil-A
Notification Requirements	Sec. 47-27.6 Sign Notice 15 days prior to meeting Sec. 47-27.4. Public Participation	
Action Required	Approve, Approve with Conditions, or Deny	
Project Planner	Florentina Hutt, AICP, Planner II FH . gl	

PROJECT DESCRIPTION:

The applicant proposes to construct a 5,911 square foot Wawa convenience store with gas station and a 3,999 square-foot Chick-fil-A restaurant located at 900 NW 62 Street. The applicant is proposing to rezone the property from General Industrial (I) to Business District (B-2) utilizing commercial flex. The property has an underlying land use of Employment Center.

Pursuant to City's Unified Land Development Regulations (ULDR) Section 47-28.1.J, Allocation of Commercial Uses within Areas Designated Industrial land use or Employment Center, the commercial use is permitted if the allocation of commercial flex does not exceed twenty percent of the total land use area within the flexibility zone that is designated for Employment Center. Currently, there are 153 acres available within flex zone 42 for commercial use. The property is 2.57 acres and 3.83 acres of commercial flex have been utilized in flex zone 42 to date. The proposed rezoning complies with the requirements for commercial flex allocation. If approved, 149.17 acres of commercial flex will remain.

PRIOR REVIEWS:

The Development Review Committee reviewed the proposal on May 24, 2016. All comments have been addressed. The DRC record is available on file with the Department of Sustainable Development.

REVIEW CRITERIA:

Per the City's 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 proposed rezoning to B-2 is consistent with the City's Comprehensive Plan through the allocation of commercial flex. Please find additional summary of analysis further below.

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 development is located in an area of the City which includes a variety of commercial and industrial uses. The project will serve the local neighborhoods, and capture customers from Executive Airport and Interstate I-95. The property is located in the City's Uptown area, which is currently undergoing a proposed land use amendment and master plan effort to address and create a more livable urban village atmosphere for the Uptown area. The proposed rezoning is consistent with the intent of the Uptown project and will not adversely impact 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;

The surrounding properties have a Land Use designation of Employment Center, with zoning classifications of B-1, B-2 and I. Other restaurants including Wendy's, Arby's and McDonald's are located to the west and north of the proposed development. In addition, office uses and a bank are located to the east and a Shell gas station is located to the north. The proposed rezoning does not introduce a new use into this neighborhood, as the existing zoning to the north and east allows for restaurant, convenience store and gas station uses, consistent with the character of the area.

Adequacy and Neighborhood Compatibility:

The adequacy criteria of ULDR Section 47-25.2 are used to evaluate the demand created on public services and facilities by a proposed development. The neighborhood compatibility criteria of ULDR Sec 47-25.3 include performance standards requiring all developments to be "compatible with, and preserve the character and integrity of adjacent neighborhoods... the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings

and entryways, parking areas, bufferyards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts".

The property currently contains a vacant lot on the west side, and on the east portion a gas station that has existed on the property since 1963. The proposed development is located in an area of the City which includes a variety of commercial and industrial uses. The project will serve the local neighborhoods, and capture customers from Executive Airport and Interstate I-95. The development is compatible with the character of the area and preserves the character and integrity of adjacent neighborhoods.

The applicant has submitted narratives regarding the project's compliance with applicable ULDR Sections attached as part of Exhibit 1, to assist the Board in determining if the proposal meets these criteria.

Parking and Circulation:

Vehicular ingress and egress into the site is provided from Cypress Creek Road and Powerline Road with the four existing driveways, serving the former gas station, will be eliminated. Cross access connections will also be provided to the remainder of the site. A total of 84 parking spaces are required for the proposed uses, as follows:

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

Restaurant (3,999 SF)	@ 1/100 SF	= 40
Convenience Store (5,911 SF)	@ 1/150 SF	= 40
Outdoor Seating (120 SF)	@ 1/30 SF	= 4

TOTAL: 84 parking spaces required

The applicant is proposing to provide 85 parking spaces, a 7-foot sidewalk along the length of the property and pedestrian connections to the buildings from the street. An improved pedestrian environment is proposed in order to support the goals provided in the Urban Land Institute, Technical Advisory Panel study, Uptown Urban Village, by placing the buildings closer to the street, through the use of outdoor seating and pedestrian access from both streets to the buildings.

A traffic study, dated October 2015 and updated in January 2017, prepared by KBP Consulting, Inc., concluded that the proposed development is projected to generate approximately 1,630 vehicle trips during a typical weekday, 124 vehicle trips during the weekday AM peak hour (63 inbound and 61 outbound), and 124 vehicle trips during the weekday PM peak hour (63 inbound and 61 outbound). The analysis also indicates that the four signalized intersections and all stop-control intersections, located within the study area will continue to operate adequately with the project in place. The traffic study executive summary is attached as Exhibit 2.

Comprehensive Plan Consistency:

The site is designated Employment Center on the City's Future Land Use Map. Staff has determined that the proposed development is generally consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.19, Neighborhood Compatibility and Policy 1.19.3, which requires the coordination of neighborhood area plans to ensure consistency with the City's adopted Comprehensive Plan.

Public Participation

The rezoning request is subject to the public participation requirements established in ULDR Sec. 47-27.4. According to the applicant, they have held public participation meetings, specifically

with the Envision Uptown Board of Directors ("Envision"). A subsequent meeting was held on May 19, 2016 at Citrix headquarters and a Wawa Community Open House was held on November 17, 2016. A summary of the Public Participation meetings and a letter of support from the Envision Uptown Board of Directors president are attached as Exhibit 3.

STAFF FINDINGS:

Staff recommends the Board approve this request consistent with:

- 47-5.36, Table of Dimensional Requirements for the B-2
- 47-24.4, Rezoning Criteria
- 47-28, Flexibility Rules
- 47-25.2, Adequacy Requirements
- 47-25.3, Neighborhood Compatibility 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. Site Plan Package and Project Narratives
2. Traffic Study Executive Summary
3. Summary of Public Participation Meeting