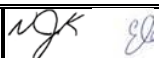




**REQUEST:** Rezone 3.47 acres from General Industrial District (I) to Northwest Regional Activity Center-Mixed Use East District (NWRAC-MUE)

<b>Case Number</b>	PLN-REZ-20020001	
<b>Property Owner/Applicant</b>	Sunshine Shipyard, LLC.	
<b>Agent</b>	Debbie Orshefsky, Holland & Knight	
<b>General Location</b>	South of NW 7 <sup>th</sup> Street, north of NW 6 <sup>th</sup> Street (Sistrunk Boulevard), east of NW 7 <sup>th</sup> Avenue and west of NW 5 <sup>th</sup> Avenue	
<b>Property Size</b>	151,327 square feet / 3.47 acres	
<b>Current Zoning</b>	General Industrial (I)	
<b>Proposed Zoning</b>	Northwest Regional Activity Center-Mixed Use east (NWRAC-MUE)	
<b>Existing Use</b>	Vacant Land and Warehouses	
<b>Proposed Use</b>	Mixed Use Development	
<b>Future Land Use Designation</b>	Northwest Regional Activity Center (NW-RAC)	
<b>Applicable Unified Land Development Regulations (ULDR) Sections</b>	Section 47-24.4, Rezoning Criteria	
<b>Notification Requirements</b>	Section 47-24.1, Public Participation Section 47-27.5, Sign Notice Section 47-27.5, Mail Notice (300-foot radius) 10 days prior to meeting	
<b>Action Required</b>	Recommend Approval, Recommend Rezoning to a More Restrictive Zoning District, or Deny	
<b>Project Planner</b>	Nicholas Kalargyros, Urban Planner II	

**PROJECT DESCRIPTION:**

The applicant, Sunshine Shipyard, LLC., is requesting to rezone 3.47 acres of land located south of NW 7<sup>th</sup> Street, north of NW 6<sup>th</sup> Street (Sistrunk Boulevard), east of NW 7<sup>th</sup> Avenue and west of NW 5<sup>th</sup> Avenue from General Industrial District (I) to Northwest Regional Activity Center-Mixed Use east District (NWRAC-MUE) in preparation for a proposed mixed use development on the subject site. The applicant currently owns the surrounding parcels, which are zoned NWRAC-MUE. The rezoning request of the subject parcels to NWRAC-MUE will provide overall unity in the project design and ensure consistency with the City's Northwest Regional Activity Center Design Standards.

A map indicating the location of the subject parcels is included as **Exhibit 1**. The sketch and legal descriptions for the subject parcels is included as **Exhibit 2**.

**REVIEW CRITERIA:**

Pursuant to the City's Unified Land Development Regulations (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 subject parcels have an underlying land use designation of Northwest Regional Activity Center which is consistent with the proposed zoning designation. Please refer to the Comprehensive Plan Consistency section herein for additional analysis.

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

The NWRAC-MUe zoning district encourages a variety of neighborhood serving uses along main corridors such as Sistrunk Boulevard, which is consistent with the proposed zoning designation. The proposed rezoning will permit a variety of uses that will be consistent and compatible with the surrounding neighborhood. The Sistrunk Boulevard corridor is currently comprised of a mix of uses, thus rezoning will not negatively affect the character of the area and will further support the character of a mixed-use corridor envisioned for the area. In addition, the rezoning will provide a mix of services for nearby neighborhoods.

3. *The character of the area surrounding the parcel proposed to be rezoned is compatible with the uses permitted in the proposed zoning district.*

The rezoning of the parcels to NWRAC-MUe is compatible with the existing mix of land uses along Sistrunk Boulevard and NW 7<sup>th</sup> Avenue. The properties to the south, east and west of the subject site are also zoned NWRAC-MUe and properties to the north are zoned "Industrial".

The proposed rezoning expands the NWRAC-MUe mixed use zoning northward along NW 7<sup>th</sup> Avenue and NW 6<sup>th</sup> Avenue and will work as a buffer between the higher density corridor of Sistrunk Boulevard and the Progresso Village neighborhood to the east. This rezoning is essentially an extension of the NWRAC-MUe zoning which exists along the Sistrunk Corridor and will permit a variety of neighborhood supporting uses permitted within this zoning district.

Table 1 below provides a comparison of permitted uses in the current and proposed zoning districts. For a detailed list of uses, refer to ULDR Section 47-7.10, List of Permitted and Conditional Uses; General Industrial (I) District and ULDR Section 47-13.10, List of Permitted and Conditional Uses; Northwest Regional Activity Center-Mixed Use east (NWRAC-MUe).

**Table 1 – Comparison of Permitted Uses**

<b>Industrial District</b>	<b>NWRAC-MUe District</b>
Automotive, Aircraft and Watercraft	Automotive
Manufacturing/Processing of Products	Boats, Watercraft and Marinas
Public Purpose Facilities	Commercial Recreation
Storage Facilities	Food and Beverage Service
Wholesale Sales/Rental Services	Lodging
Accessory Uses, Buildings and Structures	Public Purpose Facilities
Urban Agriculture	Residential Uses
	Retail Sales
	Services/ Office Facilities
	Accessory Uses, Buildings and Structures
	Urban Agriculture

Table 2 below provides a comparison of key dimensional requirements for the current and proposed zoning districts. For a complete list of dimensional requirements, refer to ULDR Section 47-7.30, Table of Dimensional Requirements for Industrial (I) District and ULDR Section 47-13.31, Table of Dimensional Requirements for NWRAC-MU Districts.

**Table 2 – Comparison of Dimensional Requirements**

	<b>Industrial District</b>	<b>NWRAC-MUe District</b>
<b>Building Height</b>	150 Feet	65 Feet
<b>Floor Area Ratio (FAR)</b>	No Maximum	No Maximum
<b>Front Setbacks</b>	5 Feet	0 Feet
<b>Rear Setback</b>	5 Feet	5 Feet
<b>Side Setback</b>	5 Feet	5 Feet
<b>Lot Size</b>	No Minimum	No Minimum

Pursuant to ULDR Section 47-13.29, 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.

#### **COMPREHENSIVE PLAN CONSISTENCY:**

The proposed rezoning is consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.8 – Sistrunk Boulevard Redevelopment Efforts,, Objective 1.21 – Encouraging Mixed Use Development, and Objective 1.32 – Guiding Growth To Discourage Sprawl and Encourage Transit. Objective 1.8 of the Comprehensive Plan encourages redevelopment of Sistrunk Boulevard and Policy 1.8.3 encourages developers to build mixed-use projects and implement the City's streetscape design and urban enhancements for Sistrunk Boulevard.

The City's Future Land Use Map indicates that the subject parcels have a Regional Activity Center Land Use Designation. More specifically, the Northwest Regional Activity Center Land Use Designation, which is intended to encourage redevelopment and expansion of employment and housing opportunities within the area. The proposed rezoning meets the intent of the land use designation.

#### **PUBLIC PARTICIPATION**

The rezoning request is subject to the public participation requirements established in ULDR Section 47-24.1.F.14 of the ULDR. According to the applicant, a public participation meeting was held on February 27, 2020, to offer the Progresso Village, Historical Dorsey-Riverbend, and surrounding neighborhoods and properties the opportunity to learn about the proposed rezoning. The public participation meeting summary and affidavit are attached as **Exhibit 4**.

In addition, this request was subject to sign notification requirements established in ULDR, Section 47-27.5. The applicant has installed six signs and has submitted a sign affidavit indicating proper sign notification was provided. The affidavit and photographs of the posted signs are provided as **Exhibit 5**.

**PLANNING & ZONING BOARD REVIEW OPTIONS:**

The Planning and Zoning Board shall consider the application and make a determination based on the following criteria:

- ULDR Section 47-24.4, Rezoning Criteria

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 47-26.B, Appeals.

The applicant has submitted narratives outlining how the rezoning complies with the applicable section of the ULDR as described herein and is attached as **Exhibit 3**, to assist the Board in determining if the proposal meets the criteria.

**EXHIBITS:**

1. Location and Zoning Map
2. Sketch and Legal Description
3. Applicant's Narrative Responses
4. Public Participation Meeting Summary and Affidavit
5. Public Sign Notice Affidavit and Photos