



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

<b>CASE</b>	UDP-Z24004	
<b>APPLICATION TYPE</b>	Rezoning	
<b>APPROVAL LEVEL</b>	Planning and Zoning Board Recommendation, City Commission Approval	
<b>REQUEST</b>	Rezoning from Residential Multifamily Mid Rise/Medium High Density (RMM-25) District to Northwest Regional Activity Center-Mixed Use East (NWRAC-MUe) District	
<b>APPLICANT</b>	816 NW 3 <sup>rd</sup> Ave LLC, 819-821 NW 2nd Ave LLC, Lot19 NW 2 Ave LLC, Shalommax LLC, and WSC Coastline Properties LLC	
<b>AGENT</b>	Jason S. Crush, Esq., Crush Law, P.A.	
<b>GENERAL LOCATION</b>	NW 2 <sup>nd</sup> Avenue	
<b>PROPERTY SIZE</b>	67,500 square feet (1.5496 acres)	
<b>ABBREVIATED LEGAL DESCRIPTION</b>	PROGRESSO 2-18 D LOT 30 TO 41 BLK 261 & PROGRESSO 2-18 D LOT 12 TO 19 BLK 261	
<b>ZONING DISTRICT</b>	Residential Multifamily Mid Rise/Medium High Density (RMM-25) District	
<b>PROPOSED ZONING DISTRICT</b>	Northwest Regional Activity Center-Mixed Use East (NWRAC-MUe) District	
<b>LAND USE</b>	Northwest Regional Activity Center	
<b>COMMISSION DISTRICT</b>	2 - Steven Glassman	
<b>NEIGHBORHOOD ASSOCIATION</b>	Progresso Village Civic Association, Inc.	
<b>APPLICABLE ULDR SECTIONS</b>	ULDR, Section 47-24.4 Rezoning Criteria ULDR, Section 47-25.2 Adequacy Requirements	
<b>NOTIFICATION REQUIREMENTS</b>	ULDR, Section 47-27.4, Public Participation ULDR Section 47-27.5, Mail Notice 10 days prior to meeting ULDR, Section 47-27.6, Sign Notice 15 days prior to meeting	
<b>STATE STATUTE 166.033 EXPIRATION DATE</b>	<b>180-DAY EXPIRATION DATE</b>	<b>EXTENSION DATE</b>
	September 5, 2025	N/A
<b>ACTION REQUIRED</b>	Recommend Approval, Approval with Conditions, or Denial to the City Commission	
<b>CASE PLANNER</b>	Nancy Garcia Urban Planner II	KD

**PROJECT DESCRIPTION:**

The applicant is proposing to rezone 67,500 square feet of land (1.5496 acres) generally located between NW 2<sup>nd</sup> Avenue and NW 3<sup>rd</sup> Avenue, north of NW 8<sup>th</sup> Street, from Residential Multifamily Mid-Rise/Medium-High Density (RMM-25) District to Northwest Regional Activity Center – Mixed Use East (NWRAC-MUe) District. The parcels have an underlying land use designation of Northwest Regional Activity Center (NWRAC) and are located within the Northwest-Progresso-Flagler Heights Community Redevelopment Area. The location map is included as Exhibit 1. The application, applicant's responses to criteria, and sketch and legal description of the property are provided as Exhibit 2.

**REVIEW CRITERIA:**

Pursuant to the City's Unified Land Development Regulations (ULDR) Section 47-24.4.D, Rezoning Criteria, an application for a rezoning shall be reviewed in accordance with the following criteria. The applicant's responses to the criteria are provided below.

1. The zoning district proposed is consistent with the City's Comprehensive Plan.

The proposed rezoning from RMM-25 to NWRAC-MUe is consistent with the City's Comprehensive Plan and the underlying future land use designation of Northwest Regional

Activity Center (NWRAC). Please refer to the Comprehensive Plan Consistency section herein 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 parcels to NWRAC-MUe will not adversely impact the character of development in or near the area under consideration. The site is surrounded by properties zoned Residential Multifamily Mid-Rise/Medium-High Density (RMM-25), Heavy Commercial/Light Industrial (B-3), Northwest Regional Activity Center-Mixed Use East (NWRAC-MUe) and Northwest Regional Activity Center-Mixed Use Northeast (NWRAC-MUe). Several of the surrounding properties within the NWRAC future land use designation have recently been rezoned to NWRAC-MUe rezonings. The proposed rezoning would maintain the character of the neighborhood and further implement the policies and goals for the of the NWRAC land use designation, NWRAC Master Plan, and Northwest/Progresso/Flagler Heights Implementation Plan, which aim to redevelop and transform the area into a thriving, pedestrian-friendly environment with a variety of residential and neighborhood serving uses.

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-MUe zoning by providing for a range of residential and non-residential uses. The area to be rezoned is surrounded by the following zoning districts: RMM-25, NWRAC-MUe and NWRAC-MUe, which allow similar dimensional requirements and uses, such as mixed-use developments. Further, 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 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, Residential Multifamily Mid Rise/ Medium High RMM-25 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 Zoning District Uses**

EXISTING RMM-25 ZONING DISTRICT	PROPOSED NWRAC-Mue ZONING DISTRICT
Residential Multifamily Mid Rise/Medium High Density	Northwest Regional Activity Center-Mixed Use East
<u>Permitted Uses:</u> Residential Uses Public Purpose Facilities Child Day Care Facilities (Family Daycare Home) Accessory Uses, Buildings and Structures Urban Agriculture	<u>Permitted Uses:</u> Automotive Parts and Supplies Store Commercial Recreation Food and Beverage Sales and Services Mixed Use Development Public Purpose Use Residential Retail Sales Service/Office Facilities
Accessory Uses, Buildings and Structures	Accessory Uses, Buildings and Structures

<u>Conditional uses:</u> Lodging Mixed-Use Development Nursing Home Facilities Child Day Care Facilities (Small and Intermediate Child Daycare Facility)	<u>Conditional Uses:</u> Car Wash, Automatic Charter and Sightseeing Boat Marina Watercraft Repair, Minor Repair Watercraft Sales and Rental, New or Used Communication Towers, Structure, and Stations Hospital, Medical and Public Health Clinic Social Service Residential Facility Child Day Care Facilities Nursing Home Facilities
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Refer to 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-MUe District.

**Table 2: General Comparison of Dimensional Standards**

	<b>EXISTING RMM-25 ZONING DISTRICT</b> Residential Multifamily Mid Rise/Medium High Density (RMM-25) District*	<b>PROPOSED NWRAC-MUe ZONING DISTRICT</b> Northwest Regional Activity Center-Mixed Use East (NWRAC-MUe) District
<b>MAXIMUM BUILDING HEIGHT</b>	55 feet	65 feet
<b>FLOOR AREA RATIO (FAR)</b>	N/A	N/A
<b>MINIMUM FRONT SETBACK</b>	25 feet	0 feet Primary Street 5 feet Secondary Street 15 feet when abutting residential
<b>MINIMUM CORNER YARD SETBACK</b>	25% of lot width but not less than 10 ft. nor greater than 25 feet 20 feet when abutting a waterway	0 feet Primary Street 5 feet Secondary Street 15 feet when abutting residential
<b>MINIMUM SIDE YARD SETBACK</b>	5 feet 20 feet when abutting a waterway	0 feet Primary Street 5 feet Secondary Street 15 feet when abutting residential
<b>MINIMUM REAR SETBACK</b>	15 Feet 20 Feet when abutting a waterway	0 feet Primary Street 5 feet Secondary Street 15 feet when abutting residential

\* Yard dimensions in this district are the minimum requirements. In no case shall the dimensional requirements be less than an amount equal to one-half (1/2) the height of the building, when this is greater than the above specified yard minimums. Modification of required yards may be permitted subject to the requirements of Modification of Yards.

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

The City's Future Land Use Map indicates this property has a future land use designation of Northwest Regional Activity Center. The Northwest Regional Activity Center designation is intended to encourage redevelopment and expansion of employment and housing opportunities within the area while enhancing the existing and proposed mix of uses and character of the NWRAC with a wide range of employment, shopping, services, cultural and residential opportunities, and a mixture of residential and non-residential uses.

The proposed rezoning is consistent with the City's Comprehensive Plan applicable goals, objectives, and policies, including without limitation Future Land Use Element, Goal 2, Objective

2.4, Encourage Revitalization of Redevelopment Areas, which encourages revitalization of redevelopment areas and redevelopment to be consistent with the Northwest-Progresso-Flagler Heights Redevelopment Plan and 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.

### **PUBLIC PARTICIPATION**

The proposed rezoning request is subject to the public participation requirements established in the ULDR, Section 47-27.4. This section states that public outreach should include any city-recognized civic association within 300 feet of the property. The applicant conducted a virtual public participation meeting on January 6, 2024, to provide an opportunity for comments from the public. In addition, there is a mail notification requirement to property owners within 300 feet of the property, which was completed and mailed on May 2, 2025. This request is subject to public sign notification requirements established in ULDR, Section 47-27.4 to notify the public hearing. Two signs were posted on the property fronting the two street frontages for notice of the Planning and Zoning meeting. The public participation meeting summary, mail notice, public notice sign, and affidavits are attached as Exhibit 3.

### **PLANNING & ZONING BOARD REVIEW OPTIONS:**

The Planning and Zoning Board shall consider the application and make a determination based on the criteria in ULDR Section 47-24.4, Rezoning Criteria.

If the Planning and Zoning Board determines the application meets 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 criteria for the rezoning and if consented to by 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 project narratives outlining how the rezoning complies with the applicable sections of the ULDR, attached as Exhibit 2, to assist the Board in determining if the proposal meets the criteria.

### **EXHIBITS:**

1. Location Map
2. Application, Applicant's Responses to Criteria, and Sketch and Legal Description
3. Public Participation Meeting Summary, Mail notice, Public Notice Sign, and Affidavits