



**REQUEST:** Rezoning from Industrial (I) District to Northwest Regional Activity Center – Mixed Use West (NWRAC-MUw) District

<b>CASE NUMBER</b>	UDP-Z22019	
<b>APPLICANT</b>	SJC Sistrunk, LLC	
<b>AGENT</b>	Sean Jones	
<b>LOCATION</b>	615 NW 8 <sup>th</sup> Avenue	
<b>EXISTING ZONING</b>	Industrial (I) District	
<b>PROPOSED ZONING</b>	Northwest Regional Activity Center – Mixed Use west (NWRAC-MUw) District	
<b>LAND USE</b>	Northwest Regional Activity Center	
<b>COMMISSION DISTRICT</b>	2 - Steven Glassman	
<b>NEIGHBORHOOD ASSOCIATION</b>	Progresso Village Civic Association	
<b>LOT SIZE</b>	10,125 Square Feet (0.23 Acres)	
<b>APPLICABLE ULDR SECTIONS</b>	47-24.4, Rezoning 47-25.2, Adequacy Requirements	
<b>NOTIFICATION REQUIREMENTS</b>	Sec. 47-27.6, Sign Notice Sec. 47-27.4, Public Participation Sec. 47-27.6, Mail Notice	
<b>STATE STATUTE 166.033 FLORIDA STATUTES</b>	<b>180-day Expiration Date</b>	<b>Extension Date (S)</b>
	April 9, 2023	N/A
<b>ACTION REQUIRED</b>	Recommend Approval, Recommend a Rezoning to a More Restrictive Zoning District, or Deny	
<b>PROJECT PLANNER</b>	Adam R. Schnell, Urban Planner III	AS CP

**PROJECT DESCRIPTION:**

The applicant requests to rezone the northern portion of the property located at 615 NW 8<sup>th</sup> Avenue from Industrial (I) District to Northwest Regional Activity Center – Mixed Use West (NWRAC-MUw) District. The site is located on the east side of NW 8<sup>th</sup> Avenue, north of Sistrunk Boulevard and south of NW 7<sup>th</sup> Avenue, in the Progresso Village Civic Association neighborhood. The entire site is 0.54 acres in size and is currently bifurcated by two zoning districts: I on the northern portion and NWRAC-MUw on the southern portion. The applicant intends to rezone a portion of the site (0.23-acre) to accommodate a new mixed use development project. At this time, development plans have not been submitted with the rezoning application.

The application, location maps, and sketch and legal description of the parcel proposed to be rezoned are attached as **Exhibit 1**. The applicant's narrative responses to criteria are attached as **Exhibit 2**.

**REVIEW CRITERIA:**

Pursuant to 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.*

Rezoning the property to NWRAC-MUw is consistent with Northwest Regional Activity Center (NWRAC) future land use designation. The NWRAC future land use designation is intended to create a vibrant community with a successful mix of businesses and residential uses defined with

walkable streets and quality buildings based upon the Northwest-Progresso-Flagler Heights Implementation Plan (NPF CRA). The land use designation provides opportunities for mixed use residential and commercial development. The proposed rezoning from I to NWRAC-MUw is consistent with the City's Comprehensive Plan applicable goals, objectives, and policies, specifically Future Land Use Element Goal 2, Objective 2.4, Policy 2.4.3 which encourages revitalization of redevelopment areas and redevelopment to be consistent with the Northwest/Progresso/Flagler Heights Redevelopment Plan. Reference below section, titled Comprehensive Plan Consistency, 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 property to NWRAC-MUe will not adversely impact the character of development in or near the area under consideration. The applicant is seeking to rezone the parcel to be consistent with parcels to the south and southwest to allow for redevelopment of the site. Any new proposed development would be subject to the NWRAC Illustrations of Design Standards for building design and streetscape improvements, thus ensuring compatibility with existing and future developments along the primary corridor of Sistrunk Boulevard and the surrounding neighborhood of Progressive Village.

The subject site is split between two zoning districts, with the southern portion already zoned NWRAC-MUw. To the west are newly constructed commercial bays with underlying zoning of Community Business (CB) District. Properties to the north and east contain legally nonconforming multifamily housing and commercial warehouses zoned Industrial. The rezoning of the property is not anticipated to adversely impact the character of development of the area, but rather support the redevelopment of the Sistrunk corridor as supported by the NWRAC Master Plan. The overlying design requirements that would apply to a new development promote the integration of active first floor commercial uses, helping to create a walkable community, with local shopping opportunities, fortifying the economic vitality of existing and future businesses in the Progresso Village Neighborhood.

- 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 character of the area is suitable for the uses permitted in the proposed zoning district. The NWRAC Master Plan is intended to promote and enhance the existing mix of uses and character of the NWRAC by providing for a wide range of employment, shopping, services, cultural and residential opportunities, with a mixture of residential and non-residential uses. Rezoning to NWRAC-MUe would ensure compliance with the development standards required by the NWRAC Master Plan. Pursuant to ULDR Section 47-13.29, Design Standard Applicability, 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.

The uses permitted in the NWRAC-MUw zoning district match the pattern of development occurring along Sistrunk Boulevard. Future development will be compatible with nearby approved projects such as the Adderley at 501 NW 7<sup>th</sup> Avenue, and the Arcadian at 640 NW 7<sup>th</sup> Avenue.

Refer to Table 1 below for a comparison of permitted uses in each district. For a detailed list of uses, refer to ULDR Section 47-7.10. - 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 west (NWRAC-MUw).

**Table 1: General Comparison of Permitted Uses**

<b>Existing Zoning District</b>	<b>Proposed Zoning District</b>
<i>Industrial (I) District</i>	<i>Northwest Regional Activity Center – Mixed Use west (NWRAC-MUw) District</i>
<i>Automotive, Aircraft and Watercraft (Wholesale Sales, Service and Repair)</i>	<i>Automotive</i>
<i>Manufacturing/Processing of Products</i>	<i>Boats, Watercraft and Marinas</i>
<i>Public Purpose Facilities</i>	<i>Commercial Recreation</i>
<i>Storage Facilities</i>	<i>Food and Beverage Service</i>
<i>Wholesale Sales/Rental Services</i>	<i>Commercial Recreation</i>
<i>Accessory Uses, Buildings and Structures</i>	<i>Food and Beverage Sales and Service</i>
<i>Urban Agriculture</i>	<i>Lodging</i>
	<i>Public Purpose Facilities</i>
	<i>Residential Uses</i>
	<i>Retail Sales</i>
	<i>Services/Office Facilities</i>
	<i>Accessory Uses, Buildings and Structures</i>
<b>Conditional Uses</b>	<b>Conditional Uses</b>
<i>Marina</i>	<i>Charter and Sightseeing Boat</i>
<i>Marine Service Station</i>	<i>Marina</i>
<i>Shipyards</i>	<i>Watercraft Repair, minor repair</i>
<i>Tugboat Service</i>	<i>Watercraft Sales and Rental, new or used</i>
<i>Acid Manufacturing</i>	<i>Communication Towers, Structures, and Stations</i>
<i>Asphalt Manufacturing</i>	<i>Hospital, Medical and Public Health Clinic</i>
<i>Cement and Lime Manufacturing</i>	<i>Social Service Residential Facility</i>
<i>Fertilizing Plants or Fertilizer Mixing</i>	<i>Child Day Care Facilities, Large</i>
<i>Manufacturing of Explosives</i>	<i>Nursing Home</i>
<i>Manufacturing of Plastics, Rubber, Leather Products</i>	<i>Watercraft Sales and Rental, new or used when accessory to a Marina</i>
<i>Meat Packing, Plants, Stock or Slaughter Yards</i>	
<i>Private Recycling Facility</i>	
<i>Radio Broadcast Facility, Production Facility, Radio, Television and Motion Picture Production</i>	
<i>Food Distribution Center</i>	
<i>Fuel Storage, sales, other than Automotive Service Station</i>	
<i>Petroleum Storage, Refining and Transfer,</i>	

Reference Table 2 below for a general comparison of dimensional requirements for each district. For a complete list of dimensional requirements reference ULDR Section 47-7.30. - Table of dimensional requirements for the I district and ULDR Section 47-13.31. - Table of Dimensional Requirements for the NWRAC-MU District.

**Table 2: Comparison of Dimensional Requirements**

Requirements	Existing Zoning District	Proposed Zoning District
	Industrial (I) District	Northwest Regional Activity Center – Mixed Use west (NWRAC-MUw) District
<b>Maximum building height (ft.)</b>	150'	45'
<b>Height Increase(ft.)</b>		65'
<b>Maximum FAR</b>	None	None
<b>Minimum front yard (ft.):</b>	5'	0' Primary Street/5' Secondary
When Contiguous to Residential	30'	None
When Abutting Residential	None	15'
<b>Minimum side yard (ft.):</b>	None ( 1' to 1' Stepback after 100' in height)	0' Primary Street/5' Secondary
When Abutting Residential	30'	15'
<b>Minimum rear yard (ft.):</b>	25'	0' Primary Street/5' Secondary
When Abutting Residential	30'	15'
<b>Corner yard (ft.)</b>	N/A	0' Primary Street/5' Secondary
<b>Min. Building Shoulder Height (ft.):</b>	None	25' (2 Stories) Min
<b>Max. Building Shoulder Height (ft.):</b>	None	65' (5 Stories) Max

**COMPREHENSIVE PLAN CONSISTENCY**

The property is designated Northwest Regional Activity Center on the City's Future Land Use Map. The proposed rezoning and associated uses are consistent with the NWRAC future land use designation, which is intended to create a vibrant community with a successful mix of businesses and residential uses defined with walkable streets and quality buildings based upon the Northwest-Progresso-Flagler Heights Implementation Plan (NPF CRA). The proposed rezoning is consistent with the City's Comprehensive Plan applicable goals, objectives, and policies, specifically Future Land Use Element Goal 2, Objective 2.4, which encourages revitalization of redevelopment areas and redevelopment to be consistent with the Northwest/Progresso/Flagler Heights Redevelopment Plan.

The proposed rezoning is also supported by Future Land Use Element, 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. The Progresso Village Neighborhood contains a mixture of single family residential and small multifamily

developments. The proposed rezoning will promote and enhance the existing and proposed mix of uses and character of the NWRAC by providing for a wide range of employment, shopping, services, cultural and residential opportunities, with a mixture of residential and non-residential uses.

### **PUBLIC PARTICIPATION**

The application is subject to the public participation requirements established under ULDR Section 47-24.1. F.14. Per the applicant, mail notifications were sent to property owners within 300 feet of the subject property and a public participation meeting was held on September 29, 2022, to offer the neighborhood and surrounding property owners the opportunity to learn about the proposed rezoning. A total of three participants attended the meeting and were in support of the rezoning.

In addition, this request was subject to sign notification requirements established in ULDR, Section 47-27.4. The applicant posted 1 sign on the property and has met the requirements of this section. The public participation meeting summary and affidavits are attached as **Exhibit 3**.

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

The Planning and Zoning Board shall consider the application based on the review criteria of ULDR Section 47-24.4, Rezoning, found herein.

If the Planning and Zoning board determines that the application meets the criteria as provided in Section 47-24.4, Rezoning, 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. Application, Location Maps, and Sketch and Legal Description
2. Applicant's Narrative Responses to Criteria and Conceptual Site Plan
3. Public Participation Meeting Summary and Affidavits