



**REQUEST:** Rezoning from General Industrial (I) District to Northwest Regional Activity Center - Mixed Use East (NWRAC-MUe) District

<b>CASE NUMBER</b>	UDP-Z24005	
<b>APPLICANT</b>	Sunshine Shipyard LLC	
<b>AGENT</b>	Stephanie J. Toothaker, Esq.	
<b>ADDRESS</b>	647 NW 6 <sup>th</sup> Avenue	
<b>PROPERTY SIZE</b>	3,375 square feet (0.08 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 Industrial	
<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 UNIFIED LAND DEVELOPMENT REGULATIONS (ULDR) SECTIONS</b>	Section 47-24.4, Rezoning 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 47-27.5, Sign Notice 15 days prior to meeting	
<b>SECTION 166.033, FLORIDA STATUES</b>	<b>180-DAY EXPIRATION DATE</b>	<b>EXTENSION DATE(S)</b>
	September 16, 2024	N/A
<b>ACTION REQUIRED</b>	Recommend Approval, Recommend Approval to More Restrictive Zoning, or Deny	
<b>PROJECT PLANNER</b>	Lorraine Tappen, Principal Urban Planner	<i>LT</i> <i>ET</i>

**PROJECT DESCRIPTION**

The applicant is proposing to rezone 3,375 square feet of land (0.08 acres) located at southwest corner of NW 7<sup>th</sup> Street and NW 6<sup>th</sup> Avenue from General Industrial (I) District to Northwest Regional Activity Center-Mixed Use East (NWRAC-MUe) District. The parcel has an underlying land use designation of Northwest Regional Activity Center (NWRAC) and is also located within the Northwest-Progresso-Flagler Heights Community Redevelopment Area. The request to rezone the property is intended to unify the block with the same NWRAC-MUe zoning district that the southern portion of the block is currently zoned. If the rezoning is approved, the applicant intends to expand the approved mixed-use development with affordable housing units (The Arcadian / Case No. UDP-S21043) to the northeast corner of the block.

The location map and sketch and legal description are included as **Exhibit 1**. The application, and applicant's responses to criteria are attached as **Exhibit 2** and the proposed site plan amendment is attached **Exhibit 3**.

**REVIEW CRITERIA**

Pursuant to ULDR Section 47-24.4, Rezoning, 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-MUe is consistent with the underlying future land use designation of Northwest Regional Activity Center. 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 Northwest-Progresso-Flagler Heights Redevelopment Plan promotes new infill development to help support local commerce and community revitalization. In addition, rezoning of property to NWRAC-MUe is in alignment with the goal of supporting redevelopment opportunities and is consistent with the vision outlined in the Northwest RAC Design Guidelines.

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 of the property to NWRAC-MUe is compatible with the existing and proposed mix of uses along Sistrunk Boulevard/NW 6<sup>th</sup> Street. The properties to the south are zoned NWRAC-Mue. To the east, north, and west, the properties are zoned General Industrial (I). The proposed rezoning of the parcels expands the NWRAC-MUe zoning north and east so that the entire block has the same NWRAC-Mue zoning designation, consistent with the underlying NWRAC land use. 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 streetscape, building orientation, architectural requirements, open space, vehicular and pedestrian access, building materials, active ground floor uses and facades. These standards will be applied at time of site plan review.

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) 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 Zoning District	Proposed Zoning District
General Industrial	Northwest Regional Activity Center-Mixed Use East (NWRAC-MUe) District
<p><b>Permitted Uses</b></p> <p>Automotive, Aircraft, and Watercraft Uses                      Manufacturing/Processing of Products                      Public Purpose Facilities                      Storage Facilities                      Wholesale Sales/Rental Services                      Urban Agriculture</p>	<p><b>Permitted Uses</b></p> <p>Automotive                      Boats, Watercraft and Marines                      Commercial Recreation                      Food and Beverage Sales and Service                      Light Manufacturing                      Lodging                      Public Purpose Facilities                      Residential Uses                      Retail Sales                      Services/Office Facilities</p>
<p><b>Conditional Uses</b></p> <p>Marine Uses                      Manufacturing/Processing Products                      Movie Studio</p>	

Fuel Storage	<b>Conditional Uses</b> 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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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 General Industrial (I) District and ULDR Section 47-13.31, Table of Dimensional Requirements for the NWRAC-MU District.

**Table 2: Comparison of Dimensional Standards**

	Existing Zoning District	Proposed Zoning District
	General Industrial	Northwest Regional Activity Center-Mixed Use East (NWRAC-MUe) District
<b>Building Height</b>	150 feet	65 feet by right 120 feet east of NW 2 <sup>nd</sup> Avenue and 110 feet west of NW 2 <sup>nd</sup> Avenue with City Commission Review and Approval Pursuant to the Performance Standard in Section 47-13.52.B
<b>Floor Area Ratio (FAR)</b>	None	None
<b>Minimum Front Yard</b>	5 Feet 30 Feet when contiguous to residential property	0 feet Primary Street 5 feet Secondary Street 15 feet when abutting residential
<b>Minimum Side Yard*</b>	None except when any portion of a structure is greater in height than 100 feet up to maximum height of 150 feet, that portion of the structure shall be set back an additional 1 foot. for each 1 foot of building height over 100 feet 30 Feet when contiguous to residential property 5 Feet when abutting a street	0 feet Primary Street 5 feet Secondary Street 15 feet when abutting residential
<b>Minimum Rear Yard</b>	None except when any portion of a structure is greater in height than 100 feet up to maximum height of 150 feet, that portion of the structure shall be set back an additional 1 foot. for each 1 foot of building height over 100 feet 30 Feet when contiguous to residential property	0 feet Primary Street 5 feet Secondary Street 15 feet when abutting residential

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<b>Minimum Corner Yard*</b>	None	0 feet Primary Street 5 feet Secondary Street 15 feet when abutting residential
<b>Shoulder Height</b>	N/A	25 feet (2 stories) minimum 65 feet (5 stories) maximum

**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 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 ULDR, Section 47-27.4. This section states that public outreach should include any city-recognized civic associations and properties within 300 feet of the property. The applicant conducted a virtual public participation meeting on May 17, 2024, to provide an opportunity for comments from the public. The applicant’s public participation meeting summary and affidavit are attached as **Exhibit 4**

In addition, this request is subject to mail notice and sign notification requirements established in ULDR Section 47-27.4. A mail notification requirement to property owners within 300 feet of the properties was completed and mailed on June 3, 2024. The applicant installed a total of two signs on the property 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 decision based on the criteria in ULDR Section 47-24.4.D, 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 Section 47-26B, Appeals.

The applicant has submitted narratives outlining how the project complies with the applicable sections of the ULDR as described herein and attached as **Exhibit 2**, to assist the Board in determining if the proposal meets these criteria.

**EXHIBITS**

1. Location Map and Sketch and Legal Description
2. Application and Applicant's Responses to Criteria
3. Site Plan Amendment
4. Public Participation Meeting Summary and Affidavit
5. Public Sign Notice and Affidavit