



REQUEST: Rezoning from Mobile Home Park (MHP) to Residential Multifamily Mid Rise/ Medium High Density (RMM-25)

Case Number	Z18007
Applicant	Clarkson-Bergman Family Partnership, LTD
General Location	400 SW 27th Avenue
Property Size	487,853 square feet / 11.1996 acres
Existing Zoning	Mobile Home Park (MHP)
Proposed Zoning	Residential Mid Rise Multifamily/Medium High Density District (RMM-25)
Existing Use	Mobile Home Park
Proposed Use	Multifamily Development
Future Land Use Designation	Medium-High Density Residential
Applicable ULDR Sections	Section 47-5.19 List of permitted and conditional uses, RMM-25 Residential Mid Rise Multifamily/Medium High Density District Section 47-24.4 Rezoning Criteria
Notification Requirements	Section 47-27.4 Public Participation Section 47-27.6 Sign Notice 15 days prior to meeting Section 47-27.6 Mail Notice (300 foot radius), 10 days prior to meeting
Project Planner	Florentina Hutt, AICP, Planner III

PROJECT DESCRIPTION:

The applicant, Clarkson-Bergman Family Partnership, LTD, is requesting to rezone approximately 11.2 acres of land located at 400 SW 27th Avenue from Mobile Home Park (MHP) to Residential Mid Rise Multifamily/Medium High Density District (RMM-25) to allow for a proposed 276 unit multifamily residential development called "Perl Riverland". The Development Review Application for Perl Riverland, Case R18043, was reviewed by the Development Review Committee (DRC) at the June 26, 2018 DRC meeting and is still currently under review. The location map with sketch and legal description of the property and the applicant's narrative responses are included as Exhibit 1 and Exhibit 2, respectively. A conceptual site plan is attached as Exhibit 3 as an illustrative exhibit to the rezoning request.

The property is currently the site of the Sunset Mobile Home Park which consists of approximately 110 mobile homes. In accordance with Florida Statute 723.083 concerning government action affecting removal of mobile home owners, no agency of municipal, local, county, or state government shall approve any application for rezoning, or take any other official action, which would result in the removal or relocation of mobile home owners residing in a mobile home park without first determining that adequate mobile home parks or other suitable facilities exist for the relocation of the mobile home owners. A Housing Study prepared by The Urban Group, dated July 18, 2018, which analyzes the availability of mobile home parks or other suitable facilities for the relocation of mobile home owners is attached as Exhibit 4. The study established that there are adequate existing housing resources for the relocation of mobile home owners at Sunset Colony, including: available vacant lease lots, mobile homes for rent and for sale, and conventional housing for rent or for sale within the Tri-County area. In addition, the report indicates that many mobile home owners meet the eligible criteria for mobile home moving expenses under the provisions of the Florida Mobile Home Relocation Corporation (FMHRC). Based on the information provided in the report staff concurs that there are sufficient existing housing opportunities to provide replacement housing for the mobile home occupants residing in Sunset Colony Mobile Home Park.

REVIEW CRITERIA:

As per 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;

The proposed zoning district, RMM-25, is consistent with the City's Comprehensive Plan in that residential uses are permitted within the Medium-High designation and is limited to 25 dwelling units per acre. In addition, the surrounding properties are designated Medium-High and Commercial to the west, Commercial to the north and, and Low-Medium to the east. Therefore, the rezoning is compatible with the surrounding zoning categories.

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

The area in which this property is located is characterized by a mixture of retail, commercial, residential, and community facility uses. The property immediately to the north was recently constructed with a regional shopping center consisting of a Walmart Supercenter and other retail and restaurant uses. There is a strong presence of retail and residential uses in this area, which make this an ideal site for multifamily residential uses. The proposed zoning district for the property is compatible with the commercial and residential zoning districts which surround the property and the re-development of the property for residential uses will contribute to and support the retail uses in 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 Low-Medium, Medium-High, and Commercial with a variety of zoning classifications of RS-8, RMM-25, B-2, and CB. Existing adjacent uses include existing single family located to the east, multifamily residential and commercial uses to the west, church to south, and commercial uses to the north. The proposed rezoning does not introduce a new use into this neighborhood, as the existing zoning to the west allows for multifamily residential developments.

Table 1 provides a comparison of permitted uses in the existing and proposed zoning district. For a detailed list of uses, refer to ULDR Sec. 47-5.19 and Sec. 47-5.22

Table 1: Permitted Uses Comparison

EXISTING ZONING	PROPOSED ZONING
Mobile Home Park (MHP)	Residential Mid Rise Multifamily/Medium High Density District (RMM-25)
Mobile home trailer	Single Family Dwelling
Active and Passive Park	Cluster Dwellings
Urban Agriculture	Zero-lot-line Dwelling
	Duplex/Two (2)
	Townhouses
	Coach Home
	Multifamily use
	Community Residence
	Bed and Breakfast Dwelling
	Hotel

	Mixed Use Development
	Active and Passive Park
	House of Worship
	School
	Social Service Residential Facility
	Child Day Care Facilities
	Nursing Home Facilities
	Accessory Uses, including Urban Agriculture

The applicant has provided a narrative response to the criteria, which are attached to the plan sets in Exhibit 2. Staff concurs with applicant's assessment of the rezoning criteria.

COMPREHENSIVE PLAN CONSISTENCY:

The proposed use is generally consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.18, which encourages utilization of standards for residential properties along major thoroughfares, as necessary, to encourage higher densities, which will in turn serve as a buffer between major roadways and low-density neighborhoods and support use of public transit.

The City's Future Land Use Map indicates that the property has a land use designation of Medium-High Density Residential, with maximum density of 25 units per acre. The proposed rezoning and associated uses are consistent with the underlying land use. The rezoning is also 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 which encourages that in existing neighborhoods, development shall be compatible with present neighborhood density.

PUBLIC PARTICIPATION:

The rezoning request is subject to the public participation requirements established in ULDR, Section 47-27.4. According to the applicant, a public participation meeting was held on November 16, 2017, to offer the neighborhood surrounding the property the opportunity to learn about the proposed project. The public participation meeting summary and affidavit are attached as Exhibit 5.

In accordance with Florida Statute Chapter 723.081 notice of application for change in zoning, Section 723.081, the mobile home park owner shall notify in writing each mobile home owner or, if a homeowners' association has been established, the directors of the association, of any application for a change in zoning of the park within 5 days after the filing for such zoning change with the zoning authority. According to the Applicant, the aforementioned requirement has been addressed.

In addition, this request is subject to sign notification requirements established in ULDR, Section 47-27.4. The applicant has installed a total of 2 signs on the property and has submitted a sign affidavit indicating proper sign notification was provided. Exhibit 6 contains the affidavit and pictures of the posted signs.

STAFF FINDINGS:

Staff recommends the Board approve this request consistent with:

Section 47-5.19 List of permitted and conditional uses, RMM-25 Residential Mid Rise
Multifamily/Medium High Density District
Section 47-24.4 Rezoning Criteria ULDR, Section 47-24.4, Rezoning Criteria

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 47-26.B, Appeals.

EXHIBITS:

1. Location map, Sketch and Legal Description
2. Applicant's Narrative Responses
3. Concept Site Plans
4. The Urban Group, Housing Study, July 18, 2018
5. Summary of Public Participation Meeting
6. Public Notice Signs and Sign Affidavit