



REQUEST: Rezone 0.39 acres from General Industrial (I) District to General Business (B-2) District.

Case Number	Z19002
Applicant	Brody Family Investment, LLC.
General Location	816 NW 6 th Avenue
Property Size	±0.39 acres
Portion of Property to be Rezoned	±0.39 acres
Current Zoning	General Industrial (I)
Proposed Zoning	General Business (B-2)
Existing Use	Guitar Broker
Proposed Use	Undetermined
Future Land Use Designation	Northwest Regional Activity Center (NW-RAC)
Applicable ULDR Sections	Section 47-24.4 Rezoning Criteria
Notification Requirements	Sec. 47-24.1 Public Participation Sec. 47-27.6 Sign Notice 15 days prior to meeting Sec. 47-27.6 Mail Notice (300 foot radius) 10 days prior to meeting
Project Planner	Adam Schnell, Planner II

PROJECT DESCRIPTION:

The applicant is requesting to rezone 0.39 acres of land located at 816 NW 6th Avenue from General Industrial (I) to General Business (B-2) zoning district to permit a greater range of commercial uses to support the underlying Northwest Regional Activity Center land use designation and further redevelopment opportunities to support the Northwest Progresso/Flagler Heights Community Redevelopment Area (CRA). The location of the property and the applicant's narrative responses are included as Exhibit 1 and Exhibit 2 respectively.

A one-story, 10,456 square-foot commercial building, currently functioning as a guitar brokerage center exists on the subject property.

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 General Business (B-2) zoning designation is consistent with the Northwest Regional Activity Center (NWRAC) Future Land Use Designation for the property. The NWRAC's intent, per the City's Comprehensive Plan is to contain a mixture of small to medium scale businesses, cultural and residential uses through the redevelopment and rehabilitation of existing buildings.

The rezoning is also supported by Objective 1.7 of the Future Land Use Element which aims to support development and redevelopment activities in the Northwest Progresso/Flagler Heights Community Redevelopment Area (CRA), which are in alignment with the Northwest Community Redevelopment Plan (Redevelopment Plan). The Northwest Community Redevelopment Plan's intent is to support the local economy and support efforts which strengthen neighborhoods. Reference below section, titled Comprehensive Plan Consistency, for additional information. Please refer to the Comprehensive Plan Consistency section within this report 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 applicant has indicated that the intent of the proposed rezoning is to establish uses more compatible with the nearby residential neighborhoods, supported by the underlying Northwest Regional Activity Center Future Land Use and Northwest RAC Community Redevelopment Plan.

If approved, the B-2 zoning district will be consistent with the pattern of development emerging within the NWRAC, offering an opportunity to establish new community businesses that aid in the economic vitality of the City and nearby neighborhoods. The proposed location aligns with the intent of the B-2 zone which is that the "B-2 district is located on site concentrated on or around major trafficways" per ULDR Section 47-6.2- Intent and Purpose of Each District. The subject parcel for the proposed rezoning is located on NW 6th Avenue, which connects Sunrise Boulevard to Sistrunk Boulevard. As redevelopment continues, NW 6th Avenue will accommodate a mixture of commercial uses that will provide local commerce and employment opportunities, as supported by the Comprehensive Plan and NWRAC Redevelopment Plan.

The uses permitted in the B-2 zoning district are less intense than the existing I zoning district, promoting uses that are more consistent with and supporting of nearby residential areas, including retail sales, commercial offices, and restaurants. Furthermore, the dimensional requirements of both zones are similar, with a permitted maximum height of 150 feet, requiring a 5-foot front yard, side yard, and rear yard setback- in most instances. Consistency between the dimensional requirements allow for building size compatibility and help transition the area to a mixed-use corridor.

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.

All properties abutting the subject property have General Industrial (I) zoning designation, with uses consisting of warehouses, distribution centers and vehicle storage facilities. Moreover, as shown in Table 1: Dimensional Requirements, the bulk regulations of both districts are similar to one another and should allow for a seamless transition between the industrial to commercial uses. If adopted, the B-2 zoning designation is not anticipated to have an adverse impact on the surrounding district or uses.

Please 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 Condition Uses, General Industrial (I) District, and Section 47-6.12.- List of Permitted and Conditional Uses, General Business (B-2) District.

Table 1: Comparison of Permitted Uses

Existing Zoning District	Proposed Zoning District
(I) (General Industrial)	B-2 (Boulevard Business District)
Automotive	Automotive
Manufacturing/ Processing of Products	Boats, Watercraft and Marinas
Storage Facility	Commercial Recreation
Wholesale Sales/ Rental Services	Food and Beverage Service
Accessory Uses, Buildings and Structures	Lodging
Urban Agriculture	Mixed Use Developments
	Public Purpose Facilities
	Retail Sales
	Services/ Office Facilities
	Storage Facilities
	Accessory Uses, Buildings and Structures
	Urban Agriculture

Please reference Table 2 below for a general comparison of dimensional requirements for each district. For a complete list of dimensional requirements, reference Section 47-7.30- Table of Dimensional Requirements for the I District, and Section 47-6.20.- Table of Dimensional Requirements.

Table 2: Comparison of Dimensional Requirements

Requirements	Existing Zoning District (I)	Proposed Zoning District (B-2)
Maximum height (ft.)	150'	150'
Minimum front yard (ft.):	5'	5'
Contiguous to residential	30'	None
Minimum side yard (ft.):	5' abutting street- otherwise 0 (No setback up to 100'- 1 to 1 setback thereafter 100' in height	5'
Contiguous to residential	30	None
Minimum rear yard (ft.):	5' abutting street- otherwise 0 (No setback up to 100'- 1 to 1 setback thereafter 100' in height	None
Contiguous to residential	30	20

COMPREHENSIVE PLAN CONSISTENCY:

The proposed rezone is generally consistent with the City's Goals, Objectives and Policies of the Northwest Regional Activity Center land use category. Objective 1.10 encourages redevelopment and the expansion of employment opportunities in the Northwest Regional Activity Center and Policy 1.7.5 calls for the evaluation of "industrial land uses in the Northwest RAC to determine where possible zoning changes are needed to assure compatibility with surrounding neighborhoods."

The rezoning of the proposed parcel supports community revitalization by introducing uses, including retail sales, commercial offices, and restaurants, that are consistent with the Northwest Progress/Flagler Heights Community Redevelopment Plan. Moreover, the Vision Statement of the Progresso Commercial Revalidation Project, as outlined within the redevelopment plan, supports the redevelopment of an undervalued industrial area of the City, that "...has the potential to serve as a major source of investment and employment for surrounding community."

PUBLIC PARTICIPATION

The rezoning request is subject to the public participation requirements established under Section 47-24.1. F.14 of the ULDR. According to the applicant, a public participation meeting was held on May 20, 2019, to offer the neighborhood and surrounding properties the opportunity to learn about the proposed rezone. Additionally, the Progresso Village Civic Association, an officially recognized neighborhood association, has provided a letter of support for the proposed rezoning, attached as Exhibit 3.

In addition, this request was subject to sign notification requirements established in ULDR, Section 47-27.4. The Applicant received and posted two (2) signs and has met the requirements of this Section. All public participation affidavits and materials are attached as Exhibit 4.

The applicant's narrative responses to all criteria are included as part of Exhibit 2 to help the Board assess how the project addresses applicable 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 and Survey
2. Applicant's Narrative Responses to Criteria
3. Progresso Village Civic Association Letter of Support
4. Public Participation Meeting Summary and Affidavits