



REQUEST: Rezone 1.38 acres from General Industrial (I) District to Heavy Commercial/Light Industrial (B-3) District

Case Number	PLN-REZ-19120001
Applicant	Thrive Development Group, LLC.
General Location	701 – 748 NW 5th Avenue
Property Size	±1.38 acres
Size of Property to be Rezoned	±1.38 acres
Current Zoning	General Industrial (I)
Proposed Zoning	Heavy Commercial/Light Industrial (B-3)
Existing Use	Large equipment and automotive repair and vacant
Proposed Use	Food and Beverage Service and Retail
Future Land Use Designation	Northwest Regional Activity Center
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	Yvonne Redding, Urban Planner III 

PROJECT DESCRIPTION:

The applicant is requesting to rezone 1.38 acres of land located at 701 - 748 NW 5th Avenue from General Industrial (I) to Heavy Commercial/Light Industrial (B-3) zoning district to permit a greater range of commercial uses including food and beverage service and retail 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, 32,202 square foot building with automotive repair and large equipment uses exists on the subject property.

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:

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

The proposed Heavy Commercial/Light Industrial (B-3) zoning designation is consistent with the underlying 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.

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 and to create the "Thrive Progresso," a proposed development with shopping, entertainment, and art related uses.

If approved, the B-3 zoning district will be consistent with the pattern of development emerging within the NWRAC, offering an opportunity to establish new commercial businesses that aid in the economic vitality of the City and nearby neighborhoods. The proposed rezoning aligns with the intent of the B-3 zone which states that the "B-3 district is located on site concentrated on or around major trafficways" in ULDR Section 47-6.2- Intent and Purpose of Each District. The subject parcel for the proposed rezoning is located on NW 5th Avenue, which connects Sunrise Boulevard to Sistrunk Boulevard. As redevelopment occurs, NW 5th Avenue can accommodate a mixture of commercial uses that could provide local commerce as supported by the Comprehensive Plan and NWRAC Redevelopment Plan.

The uses permitted in the B-3 zoning district 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. Consistencies 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) and Heavy Commercial/Light Industrial District (B-3) zoning designations, with uses consisting of warehouses, distribution centers and vehicle storage facilities. If adopted, the B-3 zoning designation is not anticipated to have an adverse impact on the surrounding district or uses. Table 1 below provides 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 District (I), and Section 47-6.12.- List of Permitted and Conditional Uses, Heavy Commercial/Light Industrial (B-3) District.

Table 1: Comparison of Permitted Uses

Existing Zoning District	Proposed Zoning District
(I) (General Industrial)	B-3 (Heavy Commercial/Light Industrial District)
Automotive	Automotive
Manufacturing/ Processing of Products	Boats, Watercraft and Marinas
Storage Facility	Commercial Recreation
Wholesale Sales/ Rental Services	Food and Beverage Service, Retail and Wholesale (includes bars, restaurants and grocery stores)
Accessory Uses, Buildings and Structures	Light Manufacturing
Urban Agriculture	Lodging

	Public Purpose Facilities
	Retail and Wholesale Sales
	Services/ Office Facilities
	Storage Facilities
	Accessory Uses, Buildings and Structures
	Urban Agriculture

Moreover, as shown in Table 2: 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. Table 2 below provides 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 (1)	Proposed Zoning District (B-3)
Maximum height (ft.)	150	150
Minimum front yard (ft.):	5	5
Minimum side yard (ft.):	5 abutting street- otherwise 0 (No setback up to 100'- 1 to 1 setback thereafter 100' in height	0
Contiguous to residential	30	20
Minimum rear yard (ft.):	5 abutting street- otherwise 0 (No setback up to 100'- 1 to 1 setback thereafter 100' in height	0
Contiguous to residential	30	25

COMPREHENSIVE PLAN CONSISTENCY:

The proposed rezoning is consistent with the Northwest Regional Activity Center land use category and City's Goals, Objectives and Policies. . Future Land Use Element Objective 1.7 ensures that development and redevelopment activities in the Northwest Progress/Flagler Heights Community Redevelopment Areas (CR) are consistent with the adopted Northwest Community Redevelopment Plan. Additionally, Policy 1.7.5 calls for the evaluation of "industrial land uses in the Northwest RAC to determine were 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 Revitalization 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 June 18, 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