



REQUEST: Rezone 0.3 acres from Residential Multifamily Mid Rise/ Medium High Density District (RMM-25) to Heavy Commercial/Light Industrial (B-3) District

Case Number	PLN-REZ-19120002
Applicant	Thrive Development Group, LLC.
General Location	405 NW 7th Street
Property Size	13,474 Square Feet / ±0.3 acres
Size of Property to be Rezoned	±0.3 acres
Current Zoning	Residential Multifamily Mid Rise/ Medium High Density District (RMM-25)
Proposed Zoning	Heavy Commercial/Light Industrial (B-3)
Existing Use	Vacant lot
Proposed Use	Parking and landscaping for future use
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 0.3 acres of land located at 405 NW 7th Street from Residential Multifamily Mid Rise/Medium High Density District (RMM-25) to Heavy Commercial/Light Industrial (B-3) zoning district to permit parking for nearby commercial uses 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.

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 parking for "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 community 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 7th Street, which connects NW 7th Avenue to Progresso Drive. As redevelopment occurs, NW 7th Street can accommodate a mixture of commercial uses that could provide local commerce and employment opportunities, as supported by the Comprehensive Plan and NWRAC Redevelopment Plan.

The uses permitted in the B-3 zoning district will promote uses along the NW 7th Street corridor that provide services for nearby residential areas, including retail sales, commercial offices, and restaurants. The rezoning of this parcel will activate the NW 7th Street and NW 4th Avenue corner and extend the B-3 zoning district to complete the frontage on the block as well as match the existing B-3 zoning to the south.

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.

Properties adjacent to the property to the south and west are zoned Heavy Commercial/Light Industrial District (B-3) and include warehouses, automobile-related services and storage uses. Properties abutting the subject property to the north and east are zoned Residential Multifamily Mid Rise/ Medium High Density District (RMM-25) and include single-family and multifamily residential properties. To the southeast, there is an existing church which is also located within the Residential Multifamily Mid Rise/ Medium High Density District (RMM-25). If adopted, the B-3 zoning designation is not anticipated to have an adverse impact on the surrounding district or uses. The rezoning would allow for a buffer of commercial uses along the NW 7th Street corridor.

Future development on the property would be assessed through the Development Review Committee process and would be subject to ULDR Section 47-25.3, Neighborhood Compatibility to address impacts of future commercial uses on neighboring residential uses, including requiring appropriate setbacks and buffer zones, etc..

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, Heavy Commercial/Light Industrial (B-3) District.

Table 1: Comparison of Permitted Uses

Existing Zoning District	Proposed Zoning District
Residential Multifamily Mid Rise/ Medium High Density District (RMM-25)	B-3 (Heavy Commercial/Light Industrial District)
Residential	Automotive
Lodging	Boats, Watercraft and Marinas
Mixed Use Development	Commercial Recreation
Public Purpose Facilities	Food and Beverage Service, Retail and Wholesale
Child Day Care Facilities	Light Manufacturing
Nursing Home Facilities	Lodging
Accessory Uses, Buildings and Structures	Public Purpose Facilities
Urban Agriculture	Retail and Wholesale 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 47-5.36- Table of Dimensional Requirements for the Residential Multifamily Mid Rise/ Medium High Density District and Section 47-6.20.- Table of Dimensional Requirements for the Heavy Commercial/Light Industrial District.

Table 2: Comparison of Dimensional Requirements

Requirements	Residential Multifamily Mid Rise/ Medium High Density District (RMM-25)	Proposed Zoning District (B-3)
Maximum height (ft.)	55	150
Minimum front yard (ft.):	25 or one-half (½) the height of the building	5
Minimum side yard (ft.):	25 or one-half (½) the height of the building	0
Contiguous to residential	N/A	20
Minimum rear yard (ft.):	20 or one-half (½) the height of the building	0
Contiguous to residential	N/A	25

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." In order to ensure neighborhood compatibility Future Land Use

Element Policy 1.20.2 states that non-residential uses adjacent to residential areas shall be planned with setback and buffer landscaping and traffic patterns leading away from residential area.

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 Progresso/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