



REQUEST: Rezone 1.46 acres of land from Planned Unit Development (PUD) District to Northwest Regional Activity Mixed Use east (NWRAC-MUe) District.

Case Number	PLN-REZ-20070002
Applicant	745 North Andrews Ave, LLC
Authorized Agent	Gus Carbonell
General Location	745 North Andrews Avenue
Property Size	±1.46 acers
Portion of Property to be Rezoned	±1.46 acres
Current Zoning	Planned Unit Development (PUD) District
Proposed Zoning	Northwest Regional Activity Center Mixed Use east (NWRAC-MUe) District
Existing Use	Vacant Land
Proposed Use	Mixed-Use Multifamily Development
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 before
Project Planner	Adam Schnell, Planner II

PROJECT DESCRIPTION:

The applicant is requesting to rezone four parcels totaling 1.46 acres generally located at 745 North Andrews Avenue from Planned Unit Development (PUD) District to North West Regional Activity Center Mixed Use east (NWRAC-MUe) District to permit the development of a mixed used midrise building. The Future Land Use designation is Northwest Regional Activity Center.

On July 21, 2004, the City Commission approved rezoning the subject property from General Business (B-2) and Residential Multifamily Mid Rise/Medium High Density District (RMM-25) to PUD (Ordinance No. C-04-44) associated with "Progresso Lofts", a 48-unit mixed-use development, which has since expired.

A location map and sketch and legal description of the property proposed to be rezoned are attached as Exhibit 1. The applicant's narrative responses to rezoning criteria are attached as Exhibit 2. The expired PUD Ordinance is attached as Exhibit 3.

With the expiration of the PUD, the applicant is seeking to rezone the property to NWRAC-MUe to construct a mid-rise mixed-use development, containing 141 residential dwelling units and 8,565 square feet of ground floor retail. The applicant has indicated that a Development Review Committee (DRC) application is forthcoming, and in the interim has provided staff with conceptual plans and building elevations, which are attached for reference as Exhibit 4.

REVIEW CRITERIA:

Per 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 NWRAC-MUe zoning designation is consistent with the Northwest Regional Activity Center (NWRAC) Future Land Use Designation and is 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. Moreover, the rezoning of the parcel to NWRAC- MUE is in alignment with Objective 1.21: Encouraging Mixed Use Development, which "supports additional mixed-use development in stagnant commercial corridors, RAC's ,and CRA's ..."

Reference below section, titled Comprehensive Plan Consistency, 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 subject parcel contains vacant land on the western portion of the property along NW 1st Avenue and retail and commercial uses on the eastern portion of the property along North Andrews Avenue. Northwest 8th Avenue abuts the northern property lines of the PUD. Properties to the east and northeast of the subject property are zoned NWRAC-MUe, with properties to the south and southeast zoned NWRAC-MUe. Properties to the west and northwest are zoned Residential Multifamily Mid Rise/ Medium High Density (RMM-25).

Parcels to the north and south of the subject site abut RMM-25 zoning districts and have NWRAC-MU zoning designations, making the rezoning of the subject site consistent with the pattern of zoning in the area. If approved, the NWRAC-MUe zoning district would offer an opportunity to revitalize North Andrews Avenue and provide infill development on vacant and underutilized parcels.

The intent of the proposed rezoning is to permit the development of a mixed use, midrise multifamily building, which is supported by the underlying Northwest Regional Activity Center Future Land Use and Northwest RAC Community Redevelopment Plan. If rezoned to NWRAC-MUe, the site will provide a transition from North Andrews Avenue and the RMM-25 zoning district to the west.

- 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 mix of land uses along North Andrews Avenue, and nearby zoning designations. The abutting properties to the south and southeast are designated NWRAC-MUe, the same designation as proposed on the subject property. Parcels to the northeast and east are zoned NWRAC-MUe and parcels to the northwest and west are zoned RMM-25. The rezoning will allow for the redevelopment of the property for a proposed infill mixed-use project that will further the long-term vision for the NWRAC-MUe zoning district by enhancing the existing character of the commercial corridors of the NWRAC area, and providing a mix of community-based residential, retail and commercial uses.

Please refer to Table 1 below for a general comparison of permitted uses in the PUD and NWRAC-MUe zoning district. For a detailed list of uses within the NWRAC-MUe, refer to ULDR Section 47-13.10., List of Permitted and Conditional Uses.

Table 1: General Comparison of Permitted Uses

<i>Existing Zoning District</i>	<i>Proposed Zoning District</i>
PUD	NWRAC-MUe
Residential as Approved on Plans	Automotive
Retail as Approved on Plans	Boats, Watercraft and Marinas

	Commercial Recreation
	Food and Beverage Sales and Service
	Lodging
	Public Purpose Facilities
	Residential Uses
	Services/Office Facilities
	Storage Facilities
	Conditional Uses
	Car Wash, Automatic
	Charter and Sightseeing Boat
	Marina
	Watercraft Repair, Minor Repair
	Watercraft Sales and Rental, New or Used
	Communication Towers, Structures, and Stations
	Hospital, Medical and Public Health Clinic
	Social Service Residential Facility
	Child Day Care Facilities, Large
	Nursing Home
	Watercraft Sales and Rental, new or used when accessory to a Marina

Please refer to Table 2 below for a comparison of dimensional requirements.

Table 2: Comparison of Dimensional Requirements

Requirements	Existing Zoning District	Proposed Zoning District
	PUD	NWRAC-MUe
Maximum building height (ft.)	79	120
Minimum front yard (ft.):	3	0
When Abutting Residential	None	15
Minimum side yard (ft.):	1	0
When Abutting Residential	None	15
Minimum rear yard (ft.):	10	0
When Abutting Residential	None	15
Corner yard(ft.)	5	None
Min. Building Shoulder Height (ft.):	None	25 (2 Stories) Min
Max. Building Shoulder Height (ft.):	None	65 (5 Stories) Max

COMPREHENSIVE PLAN CONSISTENCY:

The proposed rezoning aligns with the City's Goals, Objectives and Policies of the Northwest Regional Activity Center land use category, specifically, Objective 1.6: Redevelopment and Revitalization of Blighted Areas, which encourages the development and redevelopment of areas identified as blighted, through facilitating "innovative land development regulation techniques". The NWRAC-MU districts were adopted as a method of supporting both economic and social growth of the NRWAC area, by encouraging mixed-use development, increasing housing options and employment opportunities through smart growth principles. Additionally, rezoning will promote the development on vacant and underutilized parcels of land, which is directly linked to the efforts of Objective 1.10: Northwest Regional Activity Center (Northwest RAC) Redevelopment Efforts, which seeks to encourage redevelopment of distressed and underutilized properties.

The Northwest Progress/Flagler Heights Community Redevelopment Plan (Redevelopment Plan) prioritizes local economic development and revitalization through the enhancement of streetscape and architectural design along Andrews Avenue and promotes initiatives that "link the efforts of the Northwest District and Flagler Heights Redevelopment Area", through connected corridor improvements. If rezoned, the NWRAC-MUe the NWRAC Illustrations of Design Standards will ensure compliance with the streetscape and architectural standards envisioned by the Redevelopment Plan and support community revitalization by introducing potential retail uses, commercial offices, and restaurants, that will enhance local economic development.

PUBLIC PARTICIPATION

The rezoning request is subject to the public participation requirements established under ULDR Section 47-24.1. F.14. According to the applicant, a public participation meeting was held on September 21, 2019, to offer the neighborhood of Progresso Village and surrounding properties the opportunity to learn about the proposed rezone. The Progresso Village Civic Association, an officially recognized neighborhood association, has provided a letter of support for the proposed rezoning.

In addition, this request was subject to sign notification requirements established in ULDR, Section 47-27.4. The applicant posted three (3) signs along the right-ways of the property and has met the requirements of this Section. The required public participation affidavit, mail notification affidavit, and letter of support from the Progresso Village Civic Association are attached as Exhibit 5.

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 Sketch and Legal Description
- 2. Applicant's Narrative Responses to Rezoning Criteria
- 3. Expired PUD Ordinance
- 4. Conceptual Site Plan and Building Elevations
- 5. Public Participation Affidavit, Mail Notification Affidavit, and Letter of Support from the Progresso Village Civic Association