



## Legislation Text

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**File #:** REZ2022-11007, **Version:** 1

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### **SUBJECT/RECOMMENDATION:**

Approve a Zoning Atlas Amendment from the Low Medium Density Residential (LMDR) District to the Commercial (C) District for a portion of property located at 1849 Gulf to Bay Boulevard and pass Ordinance 9662-23 on first reading. (REZ2022-11007).

### **SUMMARY:**

This Zoning Atlas Amendment involves a 0.125-acre portion of a 1.135-acre property located on the south side of Gulf to Bay Boulevard approximately 540 feet east of Keene Road. The amendment area is the southern 35 feet, more-or-less, of the subject property. The applicant, Jasmine Naik Development, LLC, is requesting to rezone the amendment area from the Low Medium Density Residential (LMDR) District to the Commercial (C) District. The applicant has submitted a Future Land Use Map Amendment, which is being processed concurrently with this case (LUP2023-01001).

The property has been vacant since 2007, and historically the property was developed with a restaurant use. The proposed Commercial (C) District is compatible with the surrounding zoning districts of Commercial (C), Low Medium Density Residential (LMDR), and Medium Density Residential (MDR), and uses which consist of retail and sales, restaurants, and detached dwellings. The proposed Commercial (C) District would also allow the property to have one consistent zoning district across the entire property. The applicant currently has a building permit in review for a restaurant use.

The Planning and Development Department has determined that the proposed Zoning Atlas Amendment is consistent with the provisions of the Community Development Code as specified below:

- The proposed amendment is consistent with the Comprehensive Plan and the Community Development Code.
- The proposed amendment is compatible with the surrounding properties and character of the neighborhood.
- The available uses in the Commercial (C) District are compatible with the surrounding area.
- The proposed amendment will not adversely impact or unreasonably affect the use of other property in the area.
- The proposed amendment will not adversely burden public facilities, including traffic carrying capabilities of streets in an unreasonably or disproportionate manner, and
- The proposed Commercial (C) District boundaries are appropriately drawn in regard to location and classification of street, ownership lines, existing improvements and the natural environment.

The Community Development Board reviewed this application at its February 21, 2023 public hearing and made a unanimous recommendation of approval to City Council. However, due to an error with the public notice for the companion Future Land Use Map Amendment (LUP2023-01001), that item must be re-noticed and presented to the Community Development Board at its March 21, 2023 meeting. This item is being continued and will be presented to City Council at its April meetings.