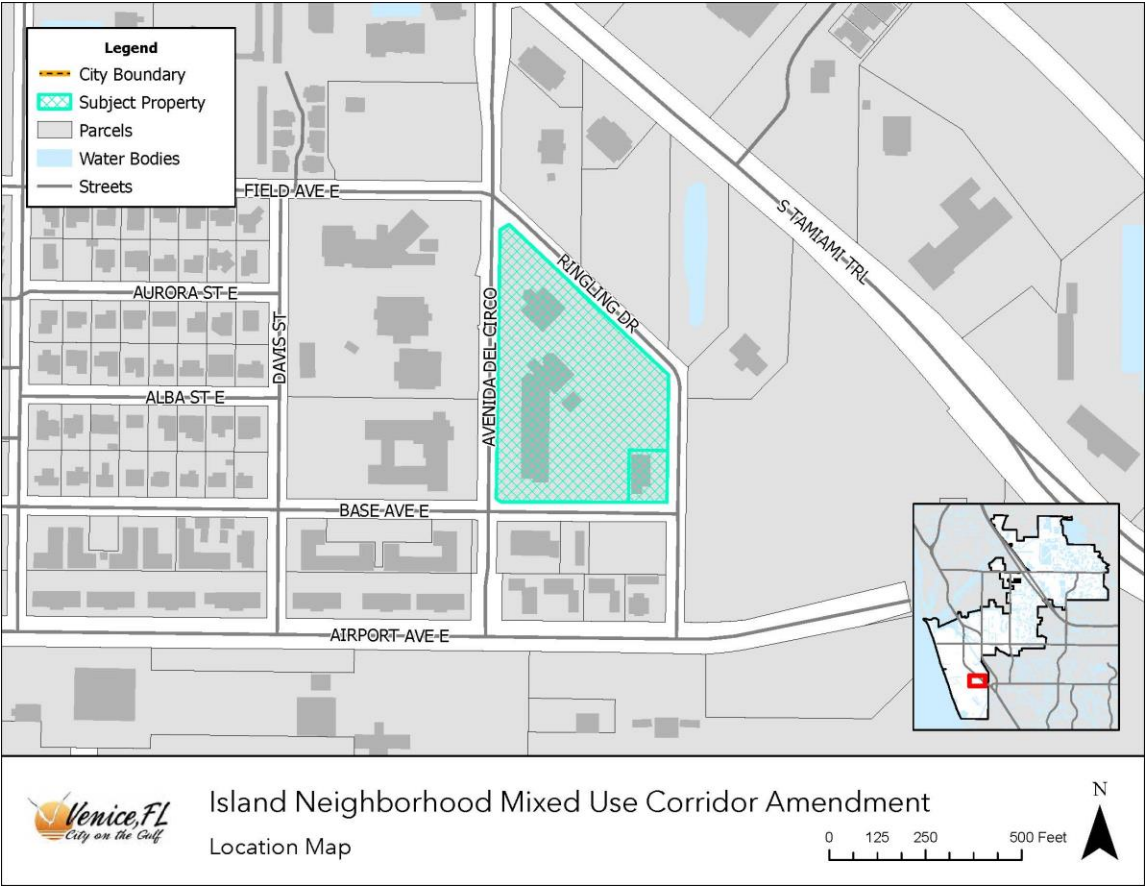


24-31CP – Island Neighborhood Mixed Use Comprehensive Plan Amendment

Staff Report



GENERAL INFORMATION

Address:	East of Avenida Del Circo, south and west of Ringling Drive and north of Base Avenue.
Request:	To amend Strategy LU-IS 1.1.3 to allow for additional residential capacity in the Mixed Use Corridor as well as the implementation of a land use equivalency matrix to convert nonresidential intensity to additional residential density.
Applicant:	Surf Road, LLC
Agent:	Jeffery A. Boone, Esq. Boone Law Firm
Future Land Use:	Mixed Use Corridor
Zoning:	Airport Avenue
Comprehensive Plan Neighborhood:	Island
Application Date:	January 4, 2024
Associated Petitions:	24-32AM

I. PROJECT DESCRIPTION AND HISTORY

This petition seeks to amend Strategy LU-IS 1.1.3 Mixed Use Corridor (MUC) to allow for additional residential capacity and to include a land use equivalency matrix to convert nonresidential intensity to additional residential density. This proposed amendment is running concurrently with Text Amendment Petition No. 24-32AM, which proposes to allow for the possibility of additional building height up to 85 feet through a height exception in the Airport Avenue zoning district for certain properties.

The proposed amendment to Strategy LU-IS 1.1.3 would increase the maximum percentage of land in the Island MUC allowed for residential units from 70% to 80% and increase the maximum dwelling units permitted from 1,181 to 1,352 for the MUC located within the Island Neighborhood. The MUC consists of 130 acres and a total of 33 dwellings units remains unbuilt. The proposed comprehensive plan amendment would add an additional 171 units, permitting up to 204 units, as shown in table LU-IS 1.1.3.A. below.

	Number of Acres	DUs per Acre (Max)	Minimum Development %	Maximum Development %	Minimum DUs	Maximum DUs	Existing and Entitled as of 11/1/22	Remaining as of 11/1/22
MUC	130	13	30%	70% 80%	506	1,181 1,352	1,148	33 204

This unit increase results in a reduction of potential nonresidential development from 30% to 20% of MUC land on the island, which reduces the minimum nonresidential square feet from 847,973 to 566,280. This is a decrease of 281,963 square feet of potential nonresidential development, as shown in table LU-IS 1.1.3.B. below.

	Number of Acres	Area Wide FAR	Minimum Development %	Maximum Development %	Minimum Square Feet	Maximum Square Feet	Existing and Entitled as of 11/1/22	Remaining as of 11/1/22
MUC	130	0.5	30% 20%	70%	847,973 566,280	1,978,603	1,469,375	509,228

The amendment also proposes the addition of subsection D below, which allows for properties located east of Avenida Del Circo, south and west of Ringling Drive, and north of Base Avenue to convert nonresidential intensity to additional residential density. The area described consists of two parcels totaling approximately 5.45 acres.

(Applicant Proposed) The applicant proposes to add the following language to Strategy LU-IS 1.1.3-Mixed Use Corridor (MUC):

D. To encourage redevelopment of properties located east of Avenida Del Circo, south and west of Ringling Drive and north of Base Avenue, a conversion from non-residential land uses to residential use may be made on an equivalent dwelling unit basis of one (1) additional dwelling unit per 2,000 square feet non-residential square feet.

As currently written, the MUC allows for up to 13 dwelling units by right, totaling 71 units for the 5.45-acre properties. The proposed equivalency matrix for conversion of nonresidential to residential is shown in Exhibit A. As shown within the Exhibit, the p.m peak hour trip generation for 2 KSF (2,000 square feet) of strip retail plaza less than 40 KSF, which the applicant states is the most appropriate use for this trade off, is 13.18 p.m peak hour trips. Using the proposed conversion rate of 13.18, this would be equal to the number of trips generated by 25.84 multifamily units.

Exhibit A

Land Use Equivalency Matrix

FROM	TO			
	Trip Generated By	ITE Code	PM Peak Hour Trip Rate	Multifamily Housing (Low-Rise) (DU)
	1 DU Multifamily Housing (Low-Rise)	220	0.51	is equal to 1.00
	2 KSF Free-Standing Discount Superstore	813	8.66	is equal to 16.98
	2 KSF Variety Store	814	13.40	is equal to 26.27
	2 KSF Shopping Center (>150k)	820	6.80	is equal to 13.33
	2 KSF Shopping Plaza (40-150k)	821	18.06	is equal to 35.41
	2 KSF Strip retail Plaza (<40k)	822	13.18	is equal to 25.84

Equivalency Matrix is based on trip rates published in the Institute of Transportation Engineer's (ITE) Trip Generation Manual, 11th Edition.

DU = dwelling unit; 2 KSF = 2,000 square feet

The minimum PM Peak Hour trip generation rate for any 2 KSF of commercial use is 6.80 trips (LUC 820), which is 13.33 times higher than 1 DU of Multifamily Housing (Low-Rise) rate of 0.51. Land Use Code 822, which has a PM Peak Hour trip rate of 13.18, and is the most appropriate retail land use for this trade-off, is 25.84 times higher than 1 DU of multifamily housing (Low-Rise).

To determine how many units could fit on the two subject properties, the total area of 5.45 acres should be converted to square feet (237,402) and divided by the 2KSF used in the equivalency matrix. Assuming a 1.0 FAR (the maximum for individual sites in the Island MUC), and using the rate of one unit per 2KSF, add an additional 118 units that could be added to the subject properties. Adding these additional units to the 71 permitted by right within the MUC results in a total of 189 units and a density of 35 units per acre.

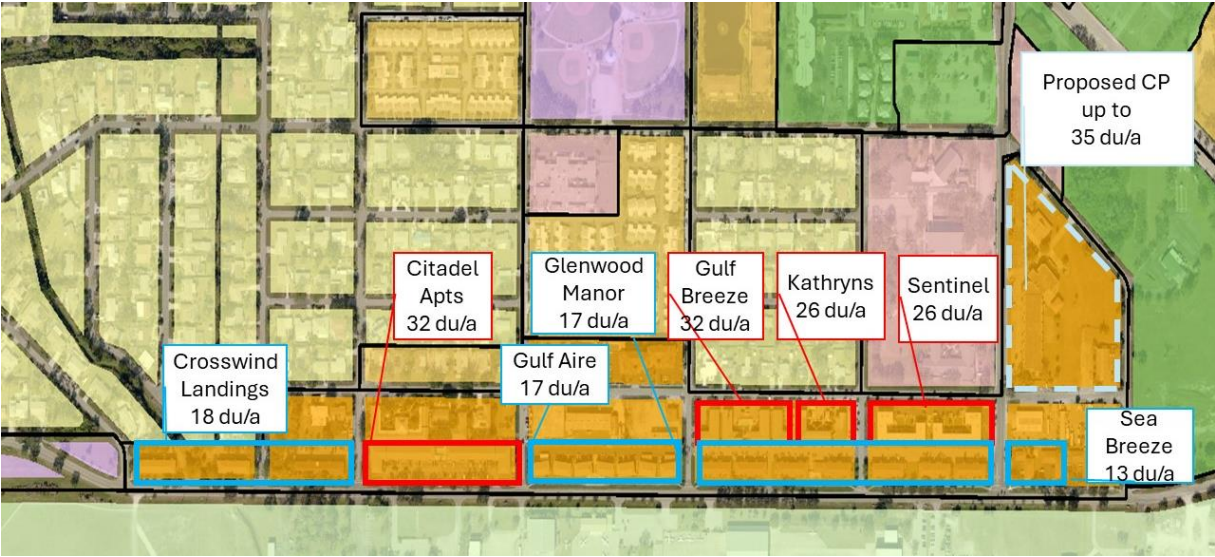
To be clear about the effect this conversion rate could have on allowable density, staff proposes clarifying language **in bold** as follows:

(Staff Proposed) Staff proposes the following language to Strategy LU-IS 1.1.3-Mixed Use Corridor (MUC):
D. To encourage redevelopment of properties located east of Avenida Del Circo, south and west of Ringling Drive and north of Base Avenue, a conversion from non-residential land uses to residential use may be made on an equivalent dwelling unit basis of one (1) additional dwelling unit per 2,000 square feet non-residential square feet resulting in a density greater than the current maximum of 13 units per acre.

Prior to the adoption of the 2017 Comprehensive Plan and the new LDRs, some of the properties within the current Island Neighborhood Mixed Use Corridor were located within the Venetian Urban Design (VUD) overlay district. The VUD permitted up to eighteen (18) units per acre. Some of the other properties within

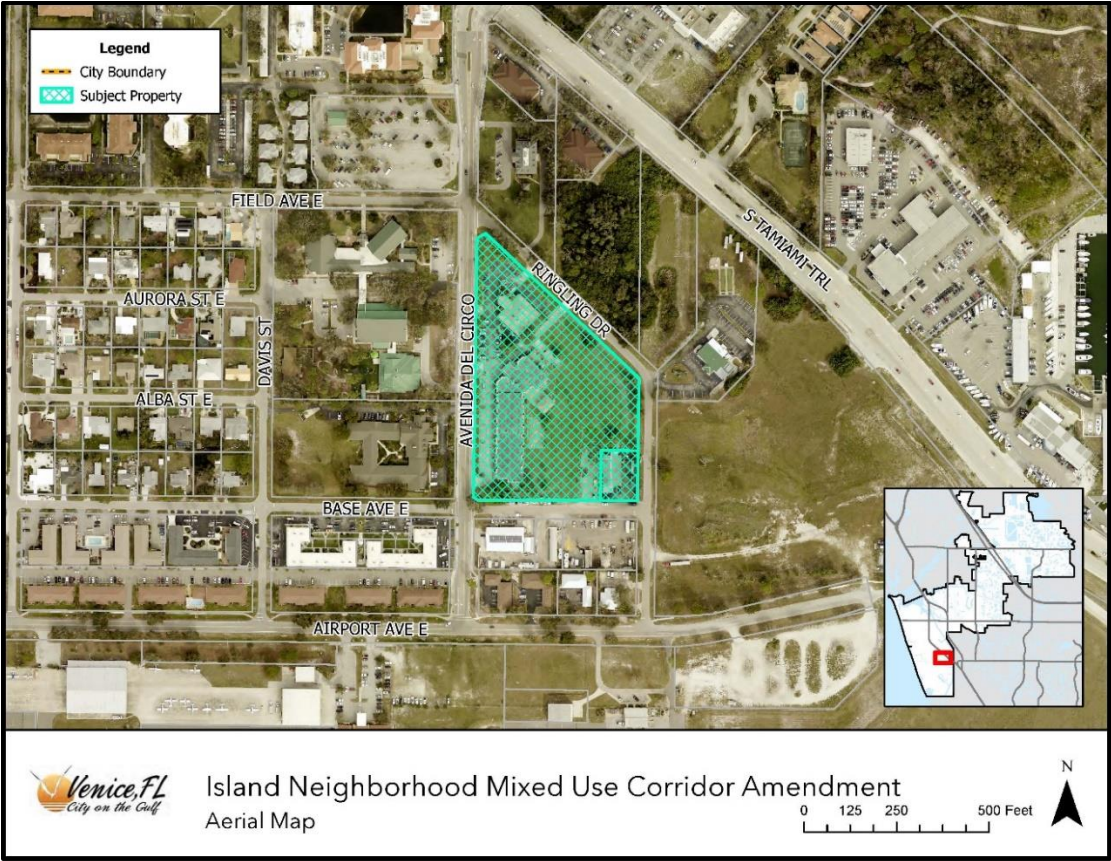
the Island Neighborhood Mixed Use Corridor were zoned RMF-4 which permitted up to eighteen (18) units per acre.

The following map shows some of the developments within the Island Neighborhood Mixed Use Corridor, within the Airport Avenue zoning district, and their respective dwelling units per acre.



The proposed amendment could allow for a density greater than the permitted 13 units per acre as stated in the current comprehensive plan, as well as a density greater than the permitted 18 units per acre as allowed by the previous code.

Aerial Map



The subject property is adjacent to professional office to the north, commercial uses to the south, Grace United Methodist Church to the west, and the Italian American Club to the east.

The subject area of the comprehensive plan was previously approved for Site and Development Plan 08-10SP. That site and development plan was for a six-story, 165-room resort and spa with associated parking and landscaping. As part of the allowance for the six stories, a conditional use for structures up to 65’ was permitted. The conditional use for the 65’ in height was approved in 2007 and the site and development plan was approved in December of 2008, but the project was never built. The tallest current structure in the area is 65’ on the Village on the Isle campus.

Site Photographs

Corner of Avenida Del Circo and Ringling Dr.



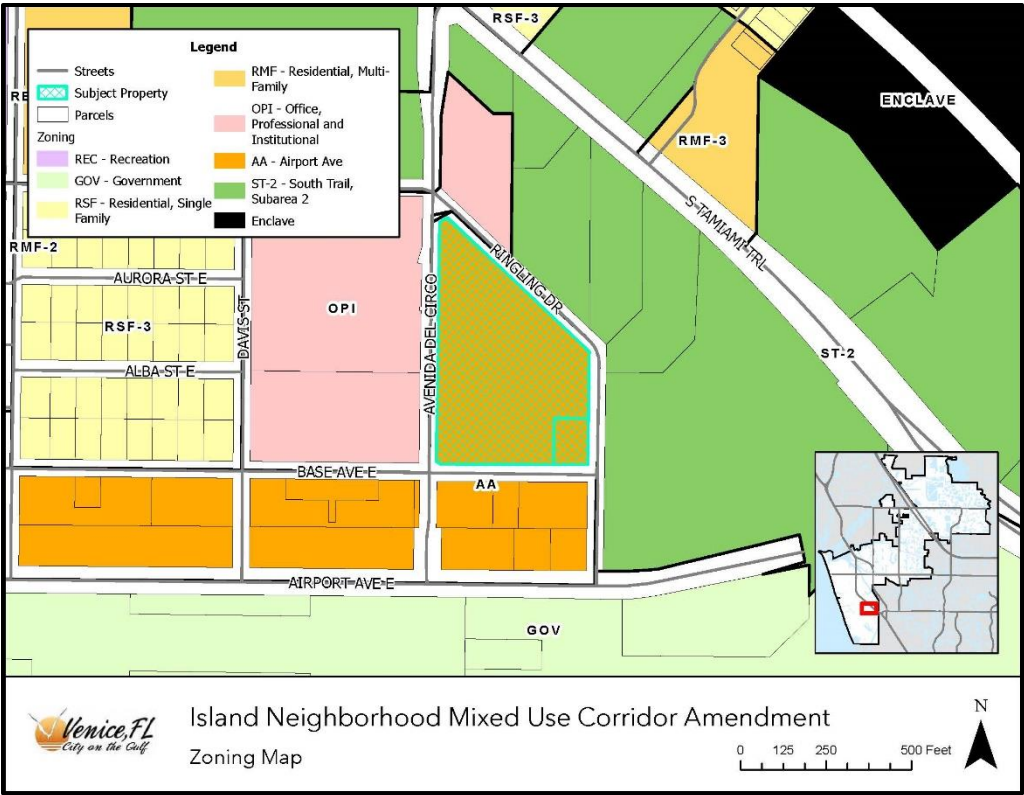
Corner of Avenida Del Circo and Base Ave



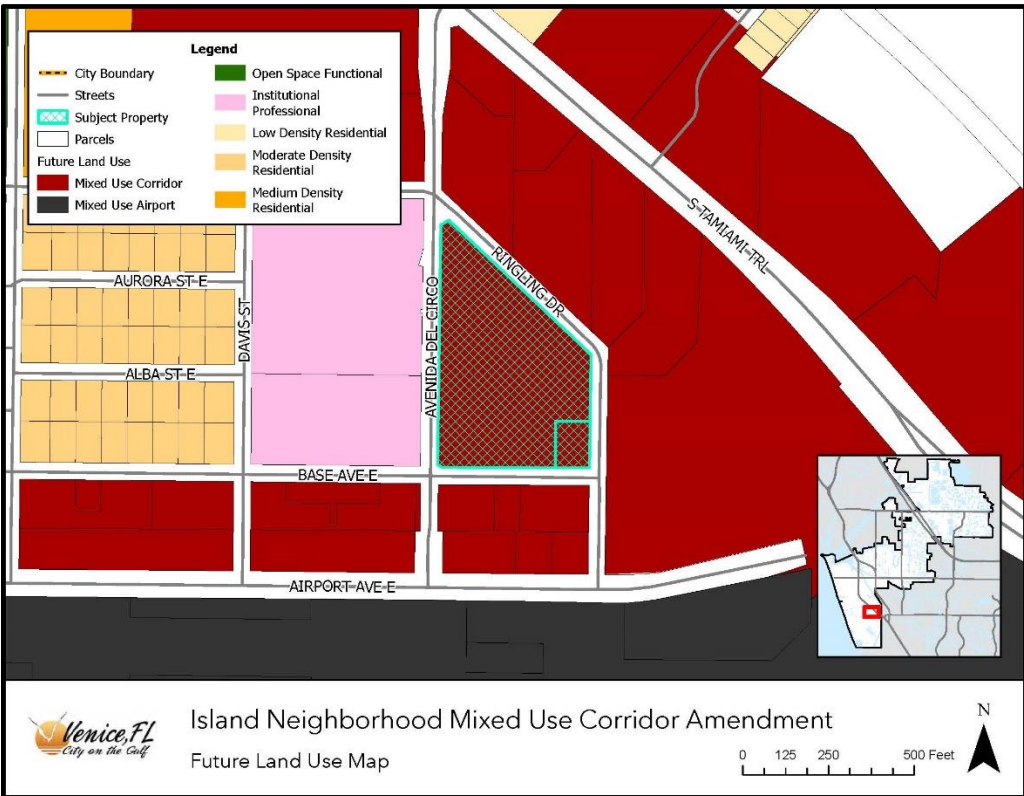
Corner of Base Ave and Ringling Dr.



Existing Zoning Map



Future Land Use Map



Surrounding Property Information

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Professional Office and Vacant	Office, Professional, Institutional (OPI) and South Trail 2 (ST-2)	Mixed Use Corridor (MUC)
South	Commercial	Airport Avenue	MUC
East	Italian American Club and Vacant	ST-2	MUC
West	Grace United Methodist Church	OPI	Institutional Professional

II. PLANNING ANALYSIS

Land Development Code

Chapter 87, section 1.5.3 of the Land Development Code directs Planning Commission and City Council in their consideration of a Comprehensive Plan Amendment application. The Code includes the following decision criteria:

- A. *The City shall consider the impacts to the adopted level of service standards when considering any proposed Comprehensive Plan amendment.*
- B. *The City shall consider the compatibility matrix in the Comprehensive Plan and its subsequent impact on possible implementing zoning designations.*
- C. *The application must be found in compliance with all other applicable elements in the Comprehensive Plan and F.S. Ch. 163, Part II.*

Comprehensive Plan Analysis

This petition seeks to amend Strategy LU-IS 1.1.3 to allow for additional residential capacity in the Mixed Use Corridor as well as the implementation of a land use equivalency matrix to convert nonresidential intensity to additional residential density. The proposed comprehensive plan amendment is only for properties within the Island Neighborhood and zoned Airport Avenue. If approved, this amendment would permit a density up to 37 units per acre on the subject properties only, which is 24 units per acre more than the current MUC permits.

Strategy LU 1.3.7 - Infill Development.

New buildings and development shall relate to the context of the neighborhood and community with regard to building placement, height, and design.

Staff Comment

There are other existing properties in the Airport Avenue zoning district that exceed the limit of 13 units per acre. As stated, the tallest building in the area is 65' feet.

Florida Statutes

The proposed Comprehensive Plan Text Amendment is required to have applicant responses for the following Florida Statutes: F.S. § 163.3177(6)(a)(2), F.S. § 163.3177(6)(a)(8), and F.S. § 163.3177(6)(a)(9). Applicant responses are below in Bold.

Section 163.3177(6)(a)(2).

The future land use plan and plan amendments shall be based upon surveys, studies, and data regarding the area, as applicable, including:

- a) The amount of land required to accommodate anticipated growth.
- b) The projected permanent and seasonal population of the area.
- c) The character of undeveloped land.
- d) The availability of water supplies, public facilities, and services.
- e) The need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community.
- f) The compatibility of uses on lands adjacent to or closely proximate to military installations.
- g) The compatibility of uses on lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.
- h) The discouragement of urban sprawl.
- i) The need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy.
- j) The need to modify land uses and development patterns within antiquated subdivisions.

Applicant Response: With respect to F.S. § 163.3177(6)(a)(2) the Amendment is consistent with and advances the need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community, it discourages urban sprawl, it will result in job creation, capital investment, and economic development that will strengthen and diversify the community's economy, and it The modify land uses and development patterns which have come antiquated.

Section 163.3177(6)(a)(8).

Future land use map amendments shall be based upon the following analyses:

- a) An analysis of the availability of facilities and services.

Applicant Response: With respect to F.S. § 163.3177(6)(a)(8), the Amendment is consistent with the requirement for availability of services, and suitability for the proposed uses considering the character of the land.

Section 163.3177(6)(a)(9).

The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

- i. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.
- ii. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
- iii. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
- iv. Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

- v. Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.
- vi. Fails to maximize use of existing public facilities and services.
- vii. Fails to maximize use of future public facilities and services.
- viii. Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
- ix. Fails to provide a clear separation between rural and urban uses.
- x. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
- xi. Fails to encourage a functional mix of uses.
- xii. Results in poor accessibility among linked or related land uses.
- xiii. Results in the loss of significant amounts of functional open space.

Applicant Response: With respect to F.S. § 163.3177(6)(a)(9), the Amendment will encourage infill development and discourage urban sprawl.

Summary Staff Comment: The proposed amendment includes an amendment to the MUC within the Island Neighborhood and the addition of subsection D to allow for the inclusion of land use equivalency matrix to convert nonresidential intensity to additional residential density. The inclusion of subsection D could allow properties to be developed up to 37 units per acre, above the permitted 13 units per acre density allowed by the Island MUC.

In addition, the proposed comprehensive plan amendment to include subsection D, is specific as the proposed language would limit the area to east of Avenida Del Circo, south and west of Ringling Drive and north of Base Avenue. Due to the proposed language, the proposed comprehensive plan amendment would only apply to two properties.

Conclusions/Findings of Fact: Staff has provided analysis of the proposed Comprehensive Amendment regarding consistency with the Comprehensive Plan, the Land Development Code, and other relevant city ordinances, resolutions or agreements. In addition, analysis has been provided by staff regarding compliance with the applicable requirements of Chapter 163 Florida Statutes. The analysis provided should be taken into consideration regarding determination on the proposed Comprehensive Plan Amendment.

III. CONCLUSION

Upon review of the petition and associated documents, Comprehensive Plan, Land Development Code, staff report and analysis, and testimony provided during the public hearing, there is sufficient information on the record for Planning Commission to make a recommendation to City Council on Comprehensive Plan Amendment Petition No. 24-31CP with the addition of the clarifying language proposed by staff **in bold** as follows:

*D. To encourage redevelopment of properties located east of Avenida Del Circo, south and west of Ringling Drive and north of Base Avenue, a conversion from non-residential land uses to residential use may be made on an equivalent dwelling unit basis of one (1) additional dwelling unit per 2,000 square feet non-residential square feet **resulting in a density greater than the current maximum of 13 units per acre.***