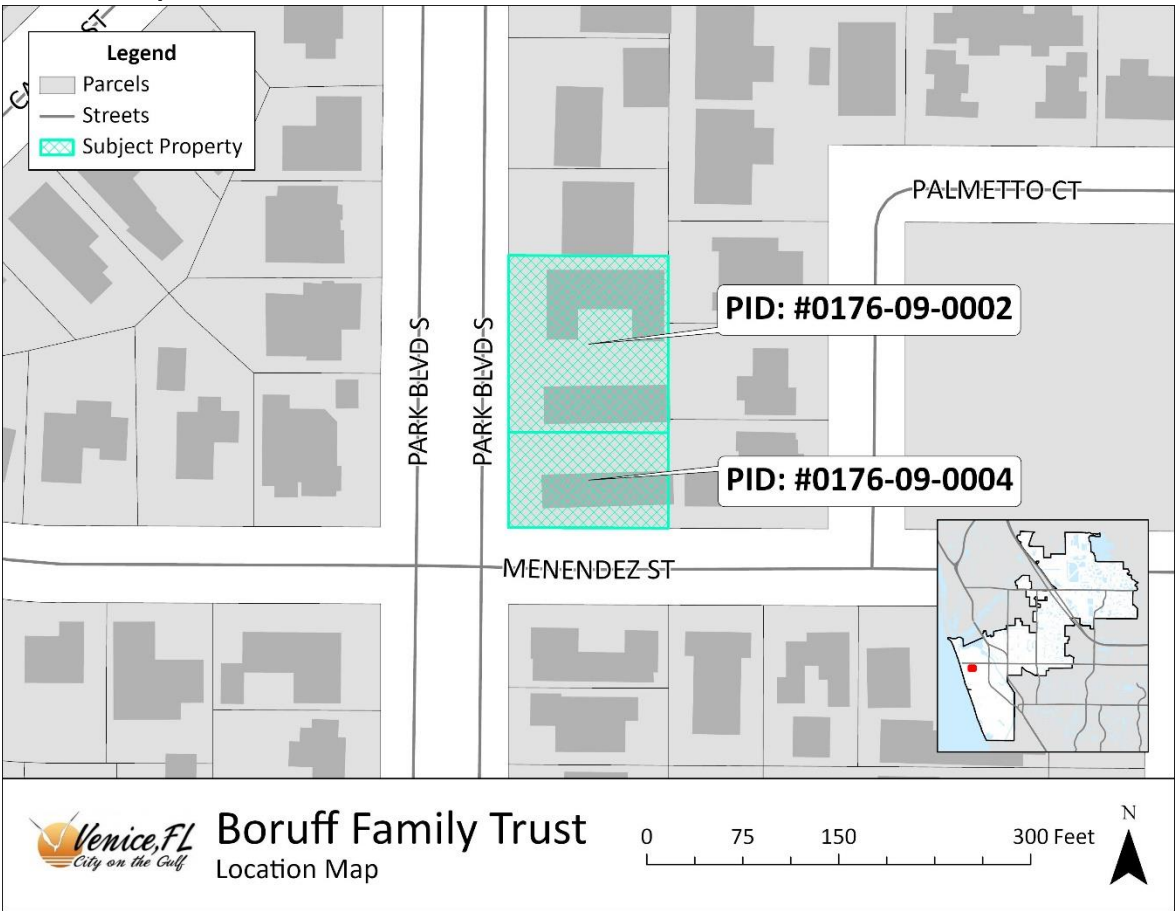


25-05RZ – Boruff Family Trust Zoning Map Amendment Staff Report



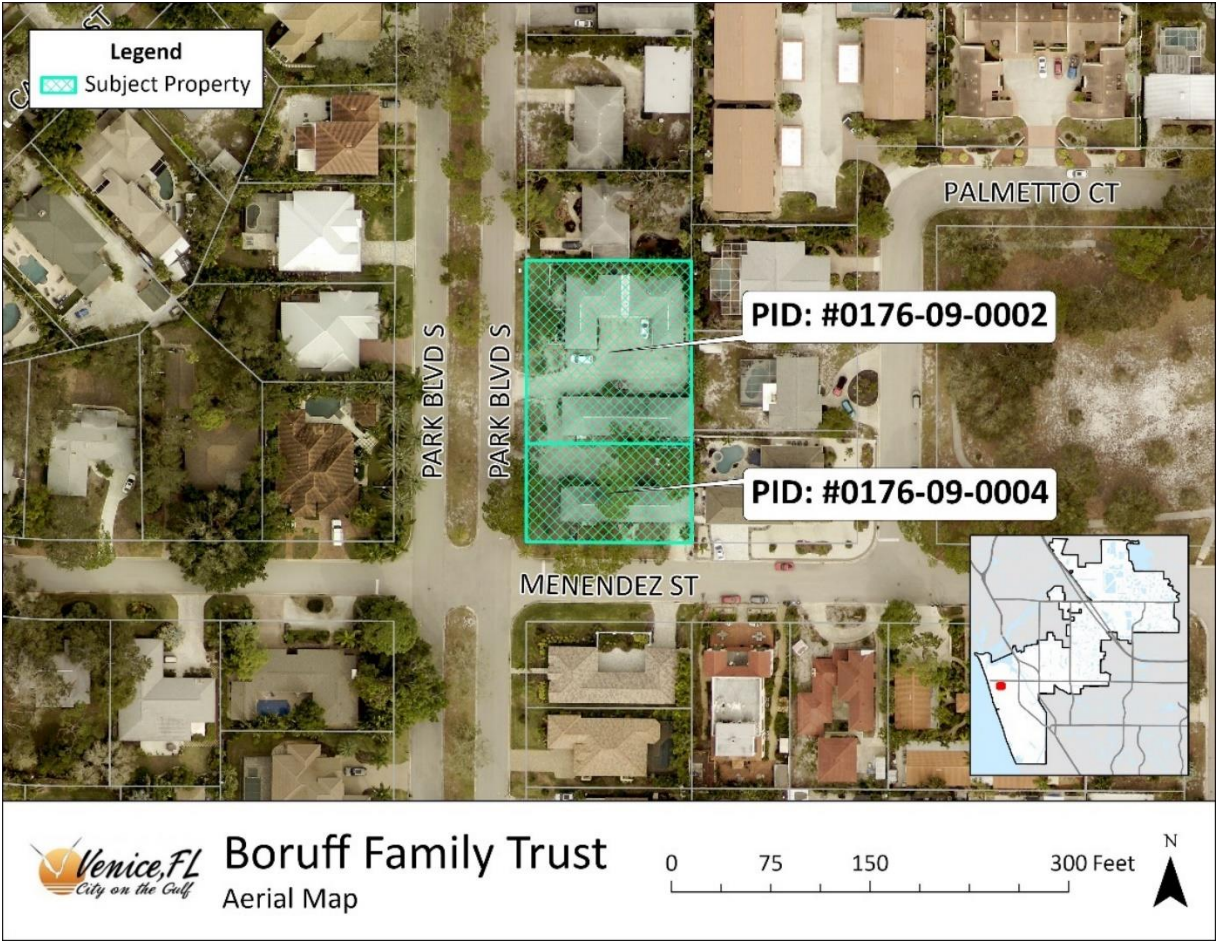
GENERAL INFORMATION

Address:	225 Park Boulevard South and 528 Menendez Street
Request:	Changing the zoning district from Residential, Multifamily 4 (RMF-4) to Residential, Single-family 4 (RSF-4)
Applicant/Owner:	Boruff Family Trust
Agent:	Annette M. Boone, Esq. Boone Law Firm
Parcel IDs:	0176090002 and 0176090004
Parcel Size:	0.6 ± acres
Future Land Use:	High Density Residential
Existing Zoning:	RMF-4
Proposed Zoning:	RSF-4
Comprehensive Plan Neighborhood:	Island
Application Date:	January 28, 2025

I. PROJECT DESCRIPTION AND EXISTING CONDITIONS

The subject proposal seeks to change the zoning district on the subject property from Residential, Multifamily 4 (RMF-4) to Residential, Single Family 4 (RSF-4). The property is located at the northeast corner of Park Boulevard South and Menendez Street. The existing use of the property is ten multifamily dwelling units.

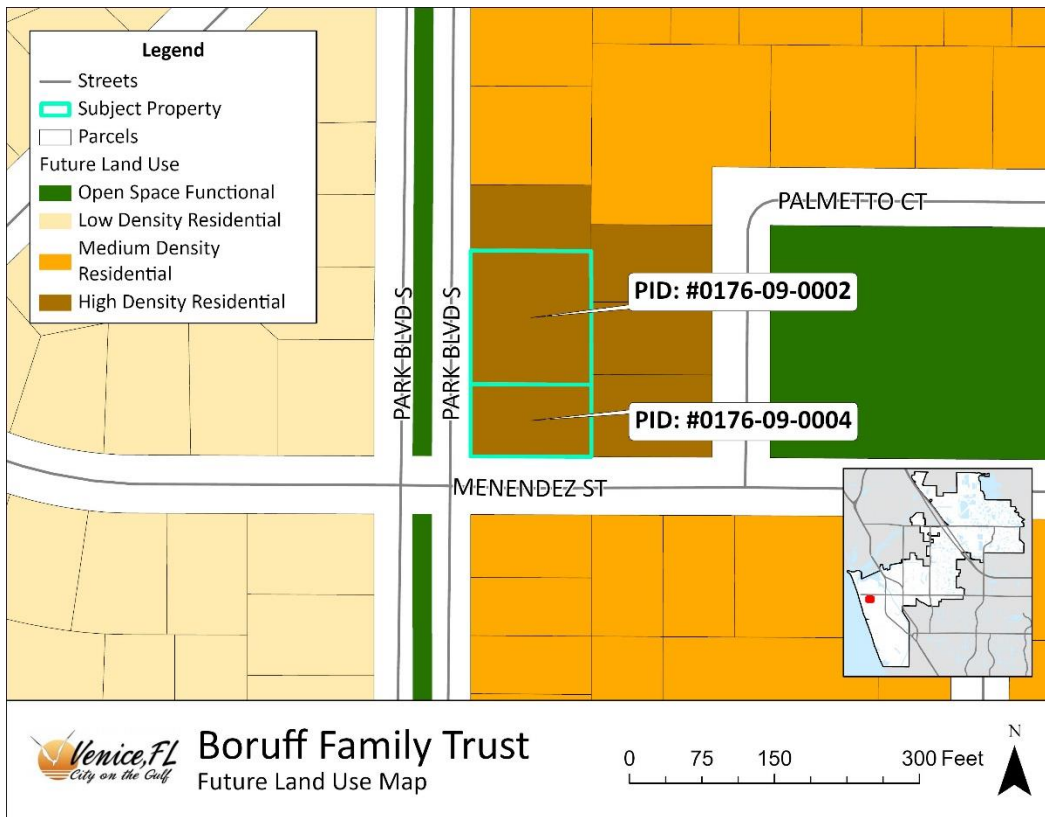
Aerial Map



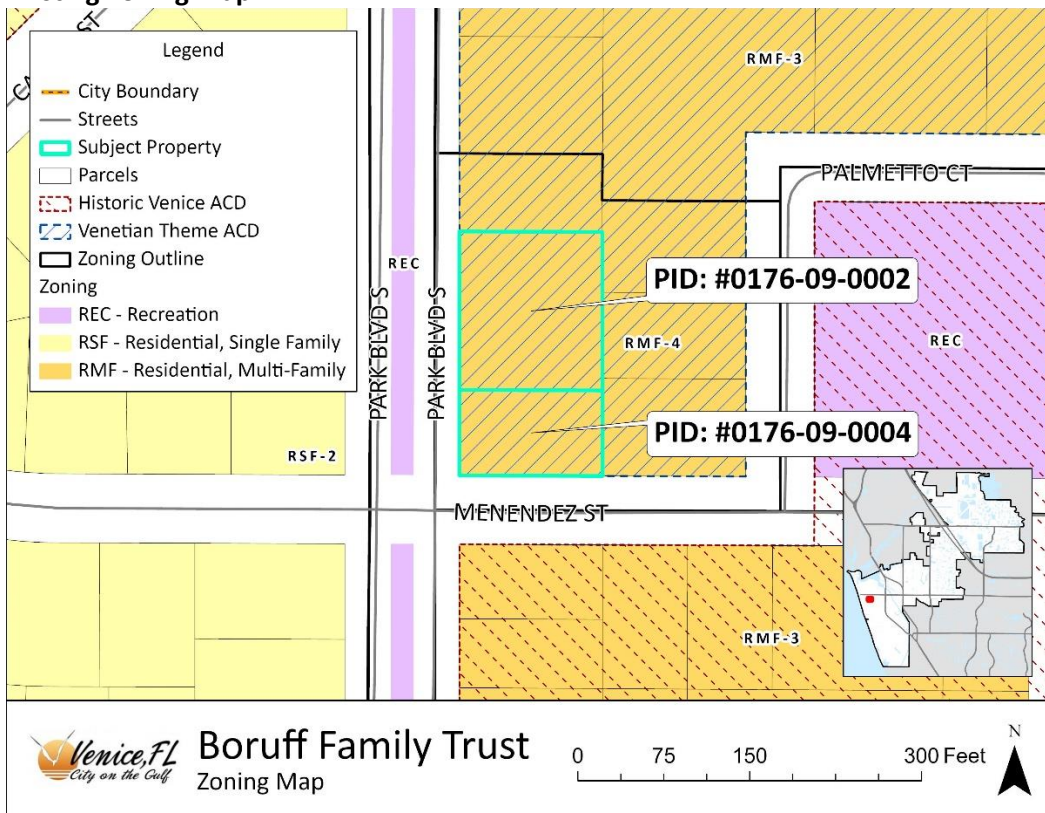
Surrounding Property Information

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Residential	RMF-4	High Density Residential
South	Residential	RMF-3	Medium Density Residential
East	Residential	RMF-4	High Density Residential
West	Residential	RSF-2	Low Density Residential

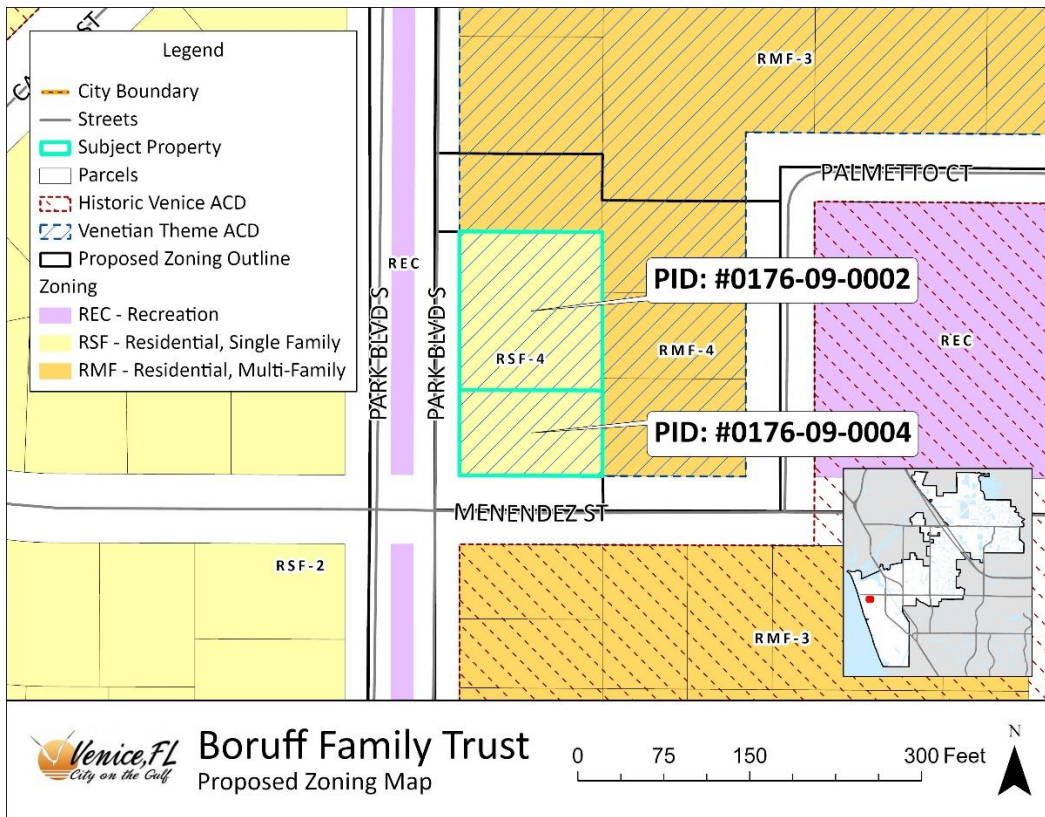
Future Land Use Map



Existing Zoning Map



Proposed Zoning Map



Site Photographs



View east across Park Blvd



View southeast facing Menendez Street



View of all buildings from Park Blvd S

II. PLANNING ANALYSIS

In this section of the report, analysis of the subject rezone petition evaluates A) how the existing RMF-4 zoning district compares to the proposed RSF-4 zoning with regard to allowed uses and development standards, B) consistency with the Comprehensive Plan, C) compliance with the Land Development Code, and D) compliance

with the City's concurrency management and transportation mobility regulations and the project's expected impacts on public facilities.

Comparison of Existing County Zoning and Proposed City Zoning

The applicant has submitted a zoning map amendment application to rezone the subject property from RMF-4 to RSF-4.

The table below provides a comparison of the districts' development standards and permitted uses.

Standards	Existing Zoning – RMF-4	Proposed Zoning – RSF-4
Density Limit	18 dwelling units per acre (du/ac)	5.5 du/ac
Maximum Dwelling Units on 0.6 acres	10 units	3 units
Height	46 feet + 10 feet understory parking	35 feet
Lot Coverage	45%	35%
Principal Uses*	Essential Services (Minor), Multifamily Dwellings, Home Day Care, Group Living	Essential Services (Minor), Single Family Detached or Attached Dwellings, Manufactured Home Dwellings, Home Day Care, Group Living

*Not an exhaustive list of district uses

Consistency with the Comprehensive Plan

The subject property has an existing Future Land Use designation of High Density Residential (HDR). The property is located in the Island Neighborhood.

Strategy LU 1.2.3.d - High Density Residential:

1. Supports higher density residential uses including multi-family residential
2. Non-Residential Uses in the High Density Residential Designation. In order to provide predictable land uses, non-residential uses previously provided for or permitted through the conversion factor, including its allocation ratio, have been removed from this Comprehensive Plan.

The HDR Future Land Use (FLU) has a density range of 13.1-18.0 du/ac; the current use meets this range. The proposed zoning would allow no more than 5.5 du/ac, below the minimum permitted for the FLU. Further, RSF-4 is not an implementing district of the HDR designation.

However, Strategy LU 1.2.3 Residential states that “[d]ensity lower than the range provided in the Table below is permitted for individual lots or parcels of less than one acre in size.” Referring to the table showing the 13.1-18.0 du/ac range, this statement permits the property owner to seek a lower density due to the parcel size of 0.6 acres. The Strategy goes on to state that if a lower density is permitted, the zoning on the property becomes an implementing zoning for the existing FLU. Note also that there is currently a very limited amount of land available for HDR development under the RMF-4 zoning district – 1.2% of total parcel area in the city limits.

This Strategy was amended to include this allowance in 2020, prior to the Land Development Code update, based on overly restrictive development standards (see Petition No. 20-22CP staff report). This reasoning is not relevant to the subject property, however, as it currently supports the maximum number of dwelling units permitted (10). Nevertheless, Strategy LU 1.2.3 is applicable to the request.

Other Strategies

Intent LU 1.3 – Planning and Design Principles and Intent HG 1.1 – Housing Options encourage the existing development pattern, which contributes to the mix of uses (Strategy LU 1.3.1), functional neighborhoods (Strategy LU 1.3.2), and walkable streets (Strategy LU 1.3.3), as well as increased housing availability in an underutilized form (Strategy HG 1.).

Island Neighborhood Strategy LU-IS 1.1.1

Redevelopment in this neighborhood must be consistent with historical development patterns, including both streets and building massing, form, and layout.

Conclusions/Findings of Fact (Consistency with the Comprehensive Plan):

Analysis has been provided to help Planning Commission determine consistency with the Land Use Element strategies applicable to the High Density Residential future land use designation, strategies found in the Island Neighborhood element, and other plan elements.

Land Development Code Compliance

The subject petition has been processed with the procedural requirements contained in Section 87-1.7 of the Land Development Code (LDC). In addition, the petition has been reviewed by the Technical Review Committee and no issues regarding compliance with the Land Development Code were identified.

Land Use Compatibility Analysis- Chapter 87 Section 1.2.C.8

The applicant has responded to the Land Use Compatibility Analysis considerations in Sec. 87-1.2.C.8. The Code states that Commission's compatibility review shall include the evaluation of the following items with regard to annexation, rezoning, height exception, conditional use, and site and development plan petitions:

i. Land use density and intensity.

Applicant Response: *The proposed zoning map amendment will result in a reduction in density currently permitted for the property.*

ii. Building heights and setbacks.

Applicant Response: *The proposed zoning map amendment will reduce maximum potential building heights.*

Staff Comment: No development proposal has been received, but maximum height would be decreased.

iii. Character or type of use proposed.

Applicant Response: *The proposed single-family use is consistent with the development pattern in the neighborhood which consists of a mix of single-family and multi-family residences.*

Staff Comment: Residential uses are generally compatible with other residential uses.

iv. Site and architectural mitigation design techniques.

Applicant Response: *Not applicable.*

Staff Comment: No development proposal has been received, but this property is in the Venetian Theme Architectural Control District. Multifamily buildings would be subject to the Certificate of Architectural Compliance process to ensure the historic architectural precedent of the area is continued, but single-family homes would be exempt from this review.

b. Considerations for determining compatibility shall include, but are not limited to, the following:

i. Protection of single-family neighborhoods from the intrusion of incompatible uses.

Applicant Response: *Not applicable.*

Staff Comment: Both the existing and proposed uses of the property are compatible with surrounding residential development.

ii. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.

Applicant Response: *Not applicable.*

iii. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.

Applicant Response: *Not applicable.*

Staff Comment: The current use of 10 multifamily dwelling units is conforming with the existing FLU and zoning district.

iv. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

Applicant Response: *The density of the proposed RSF-4 zoning is a reduction from the density of the permitted RMF-4 zoning.*

Chapter 87, Section 1, Decision Criteria 1.7.4

A. Council and the Commission shall consider the following:

1. Whether the amendment is compatible with the existing development pattern and the zoning of nearby properties.

Applicant Response: *The proposed zoning map amendment is compatible with the existing development pattern which consists of a mix of single-family and multi-family dwellings.*

Staff Comment: The proposed amendment would remove the properties from a cohesive zoning district, but both residential zonings are compatible with other residential uses.

2. Changes in land use or conditions upon which the original zoning designation was based.

Applicant Response: *The original RMF-4 zoning district permitted single-family dwellings. With the update to the Land Development Regulations in 2022 single-family dwellings were eliminated as a permitted use in the RMF-4 district thereby necessitating a zoning map amendment to allow for future development of single-family homes.*

Staff comment: The subject property is directly adjacent to the original apartment district designed by John Nolen to be denser and more affordable, and this property was developed accordingly with ten units approximately seventy-five years ago. The apartment district is integral to the fabric of the original plan and consistent with today's "smart growth" or New Urbanist principles, which were followed by Nolen during his era as well. No substantial changes to the area have occurred.

3. Consistency with all applicable elements of the Comprehensive Plan.

Applicant Response: *The proposed zoning map amendment is consistent with all applicable elements of the Comprehensive Plan.*

Staff Comment: See Comprehensive Plan analysis above.

4. Conflicts with existing or planned public improvements.

Applicant Response: *The proposed zoning map amendment is not in conflict with planned public improvements.*

5. Availability of public facilities, analyzed for the proposed development (if any) or maximum development potential, and based upon a consideration of the following factors:

- a. Impact on the traffic characteristics related to the site.

Applicant Response: *The proposed zoning map amendment will reduce potential traffic impacts related to the site.*

Staff Comment: This is an ideal location to support a multifamily density, especially since these residents would potentially have fewer cars and/or be making fewer car trips, due to the availability

of goods and services within reasonable distances for walking, biking, and using other lower impact modes of transportation.

- b. Impact on population density or development intensity such that the demand for schools, sewers, streets, recreational areas and facilities, and other public facilities and services are affected.

Applicant Response: *The proposed zoning map amendment will decrease potential impacts to public facilities and services.*

Staff Comment: This is one of the most appropriate locations in the city to concentrate, rather than reduce, population based on the availability of services and amenities. The type of housing currently permitted contributes to what planning professionals have termed “missing middle” housing – smaller (neighborhood) scale multifamily developments in strong existing neighborhoods.

- c. Impact on public facilities currently planned and funded to support any change in density or intensity pursuant to the requirements of the Comprehensive Plan and applicable law.

Applicant Response: *The proposed zoning map amendment will not negatively impact public facilities.*

Staff Comment: It is more fiscally sound to keep density in existing developed areas, rather than subsidizing sprawl at the edges of the city. The subject properties under the current zoning are ideally located for enhancing the city through smart growth and New Urbanist principles.

- 6. Effect on health, safety and welfare of the neighborhood and City.

Applicant Response: *The proposed zoning map amendment will allow for redevelopment of the property which be a benefit to the neighborhood.*

Staff Comment: Healthy communities often include those that are less reliant on automobile transportation, have more people connected through neighborhood and other social networks, have access to quality housing, and contribute to sustainable growth patterns. Multifamily development in this area can contribute to each of those factors.

- 7. Conformance with all applicable requirements of this LDR.

Applicant Response: *The proposed zoning map amendment is in conformance with all applicable requirements of the Land development Regulations.*

- 8. Findings of the Environmental Assessment Report, consistent with Chapter 89.

Applicant Response: *Not applicable, no development is proposed with this application.*

Staff Comment: No environmental assessment was received for this petition.

- 9. Any other applicable matters pursuant to this LDR, the Comprehensive Plan or applicable law.

Applicant Response: *Not applicable.*

Conclusions/Findings of Fact (Compliance with the Land Development Code):

The proposed zoning map amendment is compliant, and no inconsistencies have been identified with the LDC.

III. CONCLUSION

Planning Commission Report and Action

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 Zoning Map Amendment Petition No. 25-05RZ.