



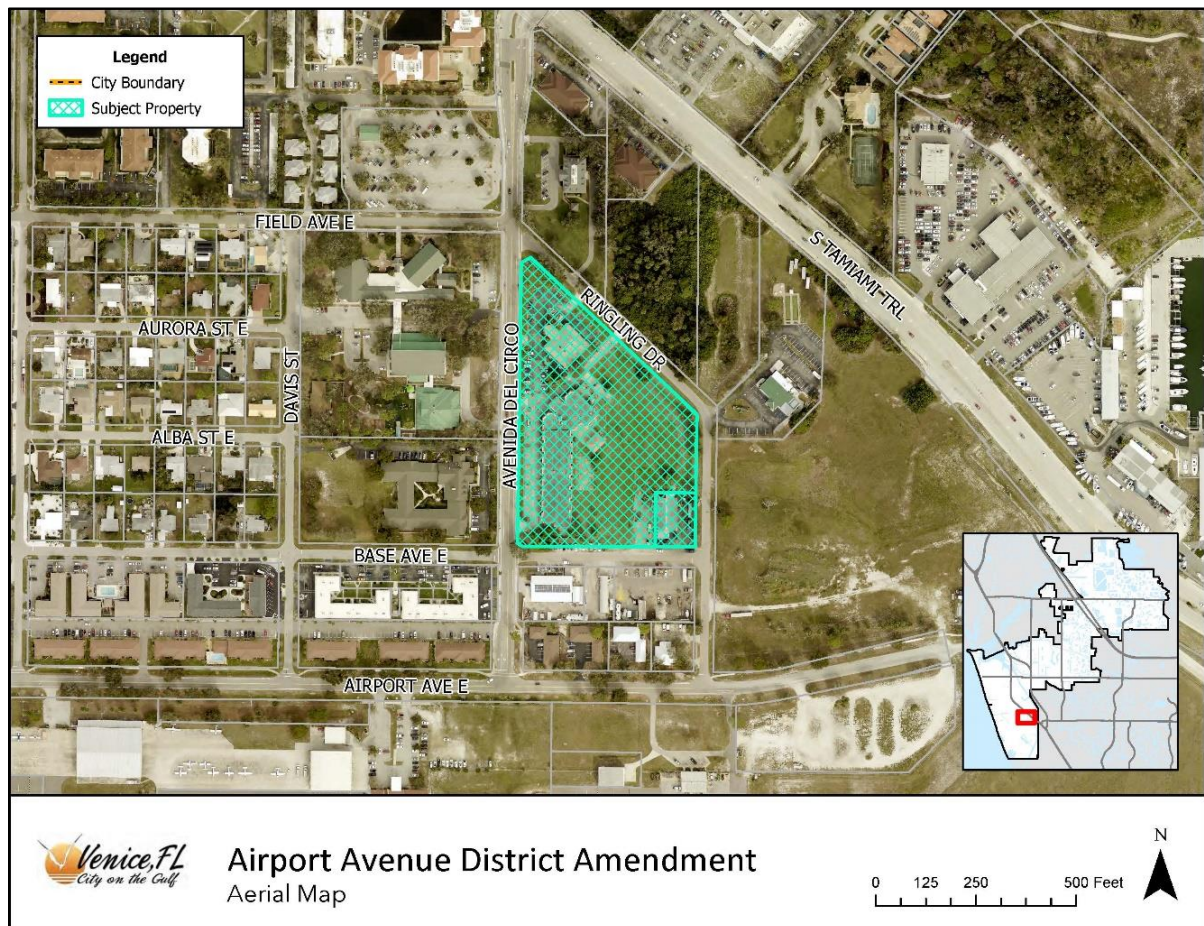
MEMORANDUM

FROM: Josh Law
DEPT: Planning & Zoning
TO: Planning Commission
DATE: August 20, 2024

SUBJECT: Airport Avenue Development Standards – Petition No. 24-32AM

BACKGROUND:

The Airport Avenue development standards text amendment (24-32AM) is a request to modify the Land Development Regulations (LDRs) to allow for the possibility of additional building height up to 85 feet through a height exception. The Airport Avenue development standards as currently written permit building heights of 35 feet by right and 57 feet through height exception. The proposed text amendment is running concurrently with Comprehensive Plan Amendment (24-31CP) to allow for an increase in residential capacity in the Mixed Use Corridor designation in the Island Neighborhood.



The applicant's proposed text amendment would allow applications for parcels located north of Base Avenue and east of Avenida Del Circo in the Airport Avenue Zoning District area to request a height

exception for up to 85 feet in height. There are two parcels that could take advantage of this height exception, which consist of approximately 5.45 acres together.



The aerial above outlines the area as described by the proposed LDR text amendment. 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 tallest building near the proposed area of the LDR amendment is Village on the Isle at 65' feet in height.

The proposed area of the LDR amendment 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 feet 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 proposed LDR amendment to allow for a height exception of up to 85 would be 20 feet taller than both Village on the Isle and the previously approved site and development plan for the subject area.

The applicant's proposed text amendment reads as follows:

2.3.6. Airport Avenue Development Standards (Applicant Proposed)

Building Height: 35' by right/57' through Height Exception south of Base Avenue and west of Avenida Del Circo, and 85' through Height Exception north of Base Avenue and east of Avenida Del Circo.

Staff has proposed alternative language for the text amendment, consistent with the proposed comprehensive plan amendment, including all four cardinal directions. This would limit the area to which the 85-foot height exception could be applied. This limitation would prohibit any other properties that were to be rezoned to Airport Avenue in the future from asking for the 85-foot height exception. The concurrently proposed comprehensive plan amendment lists the area as east of Avenida Del Circo, south and west of Ringling Drive, and north of Base Avenue. Staff therefore suggests the following proposed text:

2.3.6. Airport Avenue Development Standards (Staff Proposed)

Building Height: 35' by right/57' through Height Exception except 85' through Height Exception east of Avenida Del Circo, south and west of Ringling Drive, and north of Base Avenue.

1.6.3. Decision Criteria

- A. The Commission and Council must find that the proposed amendment is consistent with all applicable elements of the Comprehensive Plan and promotes the public health, safety and welfare, in order to adopt the proposed amendment as proposed, or with such modifications as are necessary to assure the foregoing.

Comprehensive Plan Analysis

Strategy LU 1.3.7 - Infill Development – Compatibility

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

Staff Comment: The proposed LDR text amendment would allow for new buildings and development in the area. The development shall relate to the context of the neighborhood and community with regard to building placement, height, and design.

Strategy LU-IS 1.1.1 - Redevelopment

The City recognizes this Neighborhood is primarily developed with minimal opportunities for new development. The City supports the redevelopment of underutilized properties to encourage a diversity of non-residential uses capable of supporting the adjacent residential areas. In support of this Strategy, the City shall utilize the land development regulations to require that redevelopment projects are consistent with the historical character of those portions of the Island Neighborhood specifically regarding:

- A. Historic grid street patterns established by the Nolen Plan
- B. Building massing, form, layout, and setbacks

Staff Comment: The proposed LDR text amendment would allow for the redevelopment of an underutilized property within the City. With the redevelopment of these properties, the city requires that redevelopment be consistent with the historical character of the Island Neighborhood.

Land Development Regulations Analysis

The airport was built on the Island in the early 1940s by the United States government to serve as a flight training facility during World War II. Today, the general aviation airport serves a variety of personal and business uses within the region. The airport is a special part of the City and in return the City has a section of the LDR specifically for the special considerations of the airport and the challenges that come with that use.

The following are excerpts from the City's LDR as it relates to the special consideration of the airport. As stated in Chapter 87, Sec. 6.3.1.B below, *It is further found that certain activities and uses of land in the immediate vicinity of the airport are not compatible with normal airport operations, and may, if not regulated, also endanger the lives of the participants, adversely affect their health, or otherwise limit the accomplishment of normal activities.* In addition, the map below shows the conical and approach surfaces for incoming aircraft into the area. The subject area of the Text Amendment is shown by a red triangle.

6.3. Airport Regulations

6.3.1. Findings and Purpose

- B. *An airport hazard may endanger the lives and property of users of the airport and of occupants of land in its vicinity and also, in the case of obstruction, reduces the size of the area available for the taking off, maneuvering, or landing of aircraft, thus tending to destroy or impair the utility of the airport and the public investment therein. It is further found that certain activities and uses of land in the immediate vicinity of the airport are not compatible with normal airport operations, and*

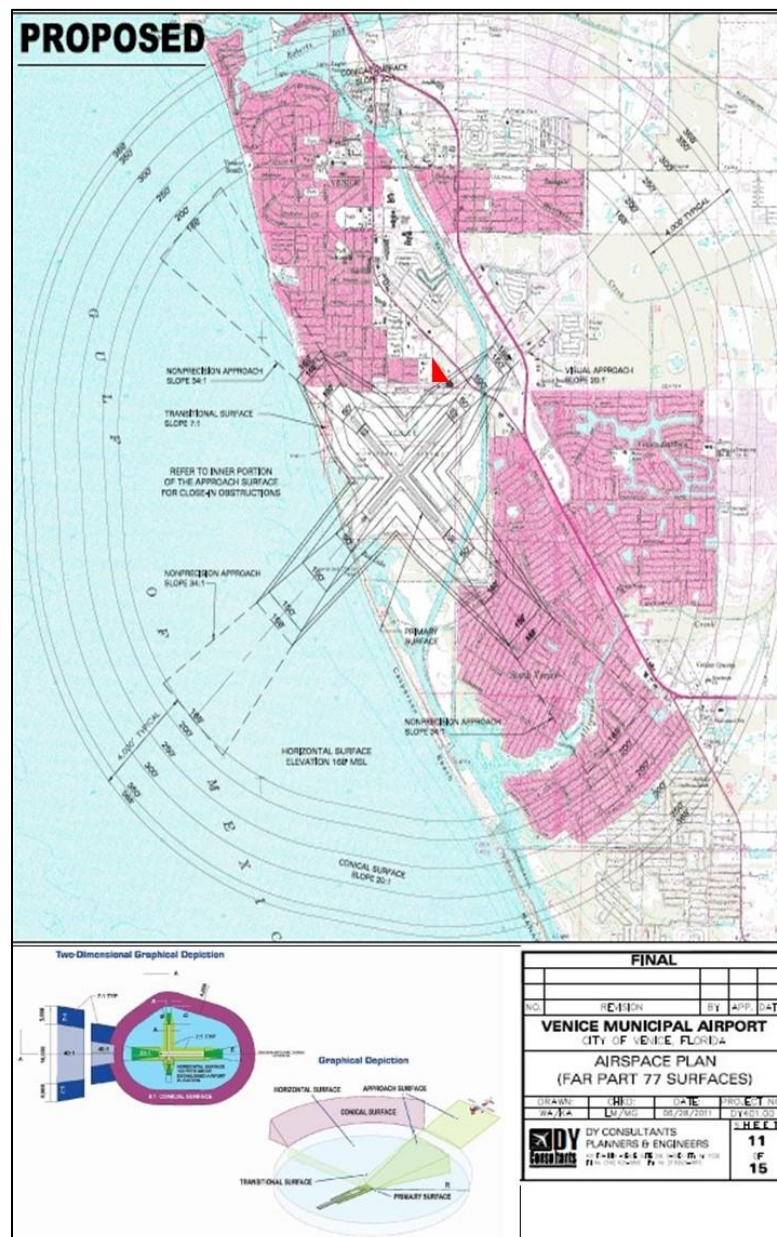
may, if not regulated, also endanger the lives of the participants, adversely affect their health, or otherwise limit the accomplishment of normal activities. Accordingly, it is hereby declared:

1. That the creation or establishment of an airport hazard and the incompatible use of land in the airport vicinity is a public nuisance and an injury to the City;
2. That it is therefore necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of airport hazards and incompatible land uses be prevented.

6.3.2. Imaginary Surfaces and Height Limitations.

A. Any existing or proposed object, terrain, or structure construction or alteration that penetrates an imaginary surface of the airport is an obstruction. The imaginary surfaces are depicted on the airspace drawings and are described as follows, consistent with 14 C.F.R. part 77, subpart C:

1. Conical surface: A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of 4,000 feet.
2. Approach surface: A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.



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

Analysis has been provided to determine consistency with the Land Use Element strategies applicable to the Mixed Use Corridor future land use designation, strategies found in the Island Neighborhood, and other plan elements.

Planning Commission Report and Recommendation

Upon review of the petitions and associated documents, Land Development Code, staff report and analysis, and testimony provided during the public hearing, there is sufficient information on the record for the Planning Commission to make a recommendation on Text Amendment Petition No. 24-32AM with the addition of the clarifying language proposed by staff as follows:

2.3.6. Airport Avenue Development Standards (Staff Proposed)

Building Height: 35' by right/57' through Height Exception except 85' through Height Exception east of Avenida Del Circo, south and west of Ringling Drive, and north of Base Avenue.