



# Staff Report

PH24-0001

Planning & Zoning Commission: December 16, 2024

City Council: January 7, 2024

**Petitioner/Property Owner:** Sylvester, LLC

**Agent:** Sylvester Ajufo

**Project Planner:** Breah Miller, Planner II

**Applicant Request:** A request for a Public Hearing to amend a PUD, Planned Unit Development, to remove a note prohibiting parking in the front yard along SW 34th Street Road (also known as SW 24th Avenue)

## Parcel Information

Acres: ±2.78 acres

Parcel(s) #: 23719-001-03

Location: northwest of intersection at SW 32nd Place and SW 24th Avenue

Future Land Use: Low Intensity

Zoning District: PUD-07, Planned Unit Development

Existing Use: Undeveloped

## Adjacent Property Information

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
<b>North</b>	Low Intensity	SC, Shopping Center	Walmart Supercenter
<b>East</b>	Low Intensity	PUD-07, Planned Unit Development	Undeveloped
<b>South</b>	Medium Intensity/ Special District	PUD-07, Planned Unit Development	Undeveloped
<b>West</b>	Medium Intensity/ Special District	B-2, Community Business	Twin Palms Orthopedics & Physical Therapy

## Applicant Request

The petitioner is requesting to remove General Note 6 on sheet 1 of the Florida Professional Park PUD Amended Final P.U.D. plan, which states that “no parking will be allowed in the front yard along S.W. 34<sup>th</sup> Street Road (also known as S.W. 24<sup>th</sup> Avenue).”

**Background:**

The subject property was once part of a 72-acre Planned Unit Development named Shady Road PUD. The Shady Road PUD was approved in November 1996 and went through 4 amendments between 1999 2003. In 2005, Tract C of the Shady Road PUD was replated and recorded as the Florida Professional Park PUD with an associated Concurrency Development Agreement Amendment. The subject property consists of Lots 3, 4, and 5 within Block “A” of the Florida Professional Park subdivision. The associated PUD plan has 9 underlying conditions in which condition number 6 states “No parking will be allowed in the front yard along S.W. 34th Street Road (also known as S.W. 24th Avenue).”

**Staff Analysis**

*Pursuant to Section 122-946 of the Code of Ordinances: substantial changes to a PD plan shall require city council approval, and any revised PD plan approved by city council shall be adopted by resolution prior to approval of a site plan or conceptual subdivision plan that includes substantial changes. A revised PD plan proposing substantial changes shall meet all requirements of this division and shall be heard at public hearings before the planning and zoning commission and city council after due public notice. For purposes of this subsection, other substantial changes are defined as: changes to project access, circulation plan, land use arrangement, buffers, a change to the approved PD standards book or the elements required to be included therein, and any other changes deemed substantial by the site plan review committee.*

There is currently a site plan under review for a proposed medical office (SPL24-45783) on the subject property. The site plan indicates that the development will access the property using the one ingress/egress point approved on the Florida Professional Park PUD plan. The proposed building is approximately 8,206 square feet in size with 81 associated parking spaces located along the north side of the building, fronting on S.W 34<sup>th</sup> Street Road and 32<sup>nd</sup> Place. The topography of the site has significant fall from the rear of the property toward the fronting street SW 34<sup>th</sup> Street Road, the most practical placement of the parking is in the front yard along SW 34<sup>th</sup> Street Road.

As proposed by the applicant, removing condition number 6 in its entirety raises staff concerns regarding prejudice toward prior development that complied with this restriction. Further, staff recognizes the topography challenges for the subject property are unique and not as pronounced on other properties fronting S.W. 24<sup>th</sup> Street Road. As a result, staff is recommending a condition of approval for the amendment to modify rather than remove the current condition number 6 as follows:

“No parking will be allowed in the front yard along S.W. 34th Street Road (also known as S.W. 24th Avenue), except for Lots 3, 4, and 5 of Block A.”

This staff proposed condition and change to condition number 6 exempts the applicant’s properties from compliance with this current restriction as requested while maintaining the restriction for other properties fronting on S.W. 34<sup>th</sup> Street Road as approved in the original PUD plan.

*Conclusions*

During the site plan review, the applicant found that the subject property's existing topography has an impact on the building placement. The property slopes approximately 17-feet from the southwest portion of the property to the northeast portion (toward SW 34<sup>th</sup> Street Road). Placement of the building in an alternate location to accommodate parking in the rear requires significant earthwork and additional infrastructure due to impacts of water run-off. The applicant is requesting approval to allow parking fronting S.W. 34<sup>th</sup> Street Road.

**Staff Recommendation: Approval with Conditions**

1. **General Note 6 on sheet 1 of the Florida Professional Park PUD Amended Final P.U.D. plan read as follows:**

***"No parking will be allowed in the front yard along S.W. 34th Street Road (also known as S.W. 24th Avenue), except for Lots 3, 4, and 5 of Block A"***