



CITY OF FORT PIERCE

PLANNING DEPARTMENT

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COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

TO: Robert J. Bradshaw, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Kori Benton, Senior Planner

SUBJECT: 601 Seaway Drive - Causeway Cove
Development Applications

DATE: September 3, 2015

ISSUE(S): Impending Zoning Atlas Amendment & Comprehensive Plan and Code Conflicts with
Future Land Use Map Amendment - 601 Seaway Drive

SUMMARY:

- The City of Fort Pierce Commission is scheduled to consider Ordinance 15-051, encompassing a Zoning Atlas Amendment to adjust the zoning designation of 18.02 +/- acres of property located at 601 Seaway Drive from R-3, Single-Family Moderate Density Residential to C-5, Tourist Commercial, at their September 8th, 2015 & September 21st, 2015 meetings.
- The property owner has expressed interest in pursuing the construction of a marina, and support marine recreational and commercial uses in the near term as the local economy develops, and further exploration commences for strategies to relocate the wastewater treatment plant.
- The existing zoning designation of R-3, Single-Family Moderate Density Residential restricts most commercial uses, including a commercial marina.
- The property is located within the South Beach Overlay District which provides unique use, design, and dimensional regulations to promote improved planning and site design that produces quality development that is functional, an asset to the community and in keeping with the general character of South Hutchinson Island.
- The subject property features a Hutchinson Island Mixed Use (HIMU) future land use designation. This district is intended for parcels that are best suited for medium to high density and intensity mixed use developments on Hutchinson Island. The maximum residential density allowed within this category is 8 dwelling units per acre and a maximum, non-residential, floor area ratio (FAR) for construction of 1.0.
- The property owner originally filed an application for a Future Land Use Map Amendment from Hutchinson Island Mixed Use (HIMU) to Mixed Use Development, MXD, however the application was suspended based upon notable inconsistency with City Code & Comprehensive Plan.

ATTACHMENTS: Staff Summary, Site Aerial, Zoning Map, Future Land Use Map, Future Land Use Element of the Comprehensive Plan, Charrette Report, and Report excerpts presenting the "Steps towards the implementation of the Citizens' Master Plan".

Site History

The subject property was formed predominantly of dredged material around the 1940s. The site is the former home of the Causeway Mobile Home Park, which was devastated during hurricanes Frances and Jeanne in 2004. The former mobile home park featured approximately 250 units prior to its removal, completed in 2006. The property remains predominantly vacant, with dilapidated driveways, clubhouse and various common area amenities remaining on-site from the previous use.

The applicant has expressed interest in pursuing the construction of a commercial marina, as well as support marine recreational and commercial uses in the near term as the local economy develops, and further exploration commences for strategies to relocate the wastewater treatment plant. The existing zoning designation of R-3, Single-Family Moderate Density Residential, limits most commercial uses, including a commercial marina.

The site is surrounded by South Causeway Park, Harbour Isle, the Smithsonian Marine Station, State Road AIA, and the FPUA Wastewater Treatment Plant. These adjacent uses present more intense activity than traditionally adjacent to a single-family residential development. The developed sites of Harbour Isle and the Smithsonian Marine Station were previously within the R-3 district, amended to PD, Planned Development and C-6, Marine Commercial designations respectively, at the time of development.

Current Zoning & Development Rights

R-3, Single-family Moderate Density Residential

The property is presently zoned R-3, Single-Family Moderate Density Residential. This zoning district is to provide for areas of single-family dwellings with an average net density in conventional developments of approximately six (6) units per acre or less. Innovative residential developments, however, may have higher densities. Duplexes and certain nonresidential uses are allowed when appropriate conditions and safeguards indicated in this section are fulfilled. This classification can be effectively applied to areas serving as a transition between lower density single-family zones and residential districts with medium or high densities. Highlights of the R-3 regulations are noted in the table below:

<p>Permitted Uses (Excerpts)</p>	<ul style="list-style-type: none"> ➤ Detached House ➤ Family Day Care ➤ Park & Open Space
<p>Conditional Uses (Excerpts)</p>	<ul style="list-style-type: none"> ➤ Duplex ➤ Townhouse ➤ Mobile Home Park ➤ School ➤ Medical Facility ➤ Neighborhood Commercial Sale
<p>Maximum Lot Coverage</p>	<p>35%</p>
<p>Maximum Building Height</p>	<p>28 ft. – Permitted 35 ft. – Conditional Use</p>

South Beach Overlay District

The property is located within the South Beach Overlay District which provides unique use, design, and dimensional regulations to promote improved planning and site design that produces quality development that is functional, an asset to the community and in keeping with the general character of South Hutchinson Island. Collectively, the overlay district emphasizes the preservation, protection, and enhancement of the unique barrier island environment through regulation of development and redevelopment of lots within the district. The Overlay District provides a limitation of residential density to eight (8) units per acre, and a maximum height allowance of 45 feet, along with design standards for the form and architecture of new development are prompted. An additional component of the Overlay is the initiative to maximize opportunities for public access to the water, and facilitation of waterfront connectivity amongst commercial development.

Hutchinson Island Mixed Use (HIMU) Future Land Use Designation

The subject property features a Hutchinson Island Mixed Use (HIMU) future land use designation. This district is intended for parcels that are best suited for medium to high density and intensity mixed use developments on Hutchinson Island. The maximum residential density allowed within this category is 8 dwelling units per acre and a maximum, non-residential, floor area ratio (FAR) for construction of 1.0. Non-residential uses may comprise no more than 20% of the total floor area of the Hutchinson Island Mixed Use future land use designation.

Western Peninsula Charrette

The City of Fort Pierce hosted a community charrette on March 17th, 2012 to discuss land on South Hutchinson Island, generally west of Harbour Isle, known as the "Western Peninsula". The workshop led by City Staff and Marcela Cambor of Cambor & Associates, explored current conditions within this area and sought community input regarding future uses and development of this unique segment of South Hutchinson Island. The discussions centered on the desire and prospects of relocating the Wastewater treatment plant, while facilitating mixed-use development and opportunities for public access to the waterfront.

The City Commission, at their September 17th, 2012 meeting, reviewed and adopted a Charrette Report prepared by Marcela Cambor & Associates. The final report contains detail of the community workshop, contemplation of current and potential development of the subject land, prospective approaches to relocate the Wastewater Treatment plant with limited financial contribution from taxpayers, and the recommended route to implement the Citizens' Master Plan.

The guided steps towards the implementation of the Citizens' Master Plan detailed a comprehensive approach to furthering the framework established by the charrette through the formation of a Plant Relocation Committee, the retention of services for a retail and marketing specialist, the formation of an agreement with the adjacent private property owner, and the strategic amendment of development regulations to provide a tiered and design oriented increase in development rights, in exchange for community benefits sought in the Plan.

The only step completed at this time is the adoption of the Citizens' Master Plan by the City Commission. The exorbitant financial requirement to relocate the Wastewater Treatment Plant, and limited resources to implement the suggested strategy have mired completion of further elements identified by the Plan. Excerpts of the charrette report, containing the recommended steps towards the implementation of the Citizens' Master Plan are attached for further review.

Submitted Applications

The property owner and applicant, on July 2nd 2015, filed applications requesting a Zoning Atlas Amendment (Rezoning) from R-3, Single-Family Moderate Density Residential to C-5, Tourist Commercial as well as a Comprehensive Plan – Future Land Use Map Amendment from Hutchinson Island Mixed Use (HIMU) to Mixed-use Development (MXD) for the subject 18.02 acres of uplands located at 601 Seaway Drive.

The applications were reviewed by the Technical Review Committee (TRC) at their July 17th, 2015 meeting. The Planning Department, serving as a member of the TRC issued various comments regarding the submittals, with notable concerns regarding the consistency of the proposed Comprehensive Plan – Future Land Use Map Amendment with the City's Code of Ordinances and Comprehensive Plan. Detail of the conflicts, presented as excerpts of the City's Code of Ordinances and Comprehensive Plan were provided to the applicant, with general notes of the administrative options to amend, or extend the scope of the application.

The applicant failed to respond to the identified concerns, recommending the advancement of the application as submitted, in light of the numerous conflicts with Code and Goals, Objectives, and Policies of the Comprehensive Plan. Subsequently, staff met with the applicant and representative to discuss the advancement of the application for a Zoning Atlas Amendment, in the absence of the Future Land Use Map Amendment, based upon the identified issues and the desire to pursue development application for a minor marina. The request for a Zoning Atlas Amendment was considered by the Planning Board at their August 11th, 2015 meeting, and is scheduled for first reading at the September 8th, 2015 City Commission meeting.

The application for a Future Land Use Map Amendment was suspended, pending further actions to adjust the scope of the application. Subsequently, the applicant filed a request to refund the application fee, acknowledging intentions of resubmittal in the future.

Code & Comprehensive Plan Conflicts – Proposed Future Land Use Map Amendment

The application filed to amend the City's Comprehensive Plan, specifically sought to change Future Land Use designation of the site from Hutchinson Island Mixed Use (HIMU) to Mixed Use Development (MXD). The requested Future Land Use designation and the conflicts of authorizing this designation, in the absence of additional adjustments to the City Code and Comprehensive Plan, are presented below.

Owner's Desired Future Land Use designation

The Mixed Use Development (MXD) designation is intended to promote intensification, redevelopment, and revitalization of the areas targeted for live/work environments. This area is characterized by development that promotes the creation of well-planned centers designed to integrate a variety of complementary uses. This land use designation allows a maximum density of 15 dwelling units per acre and a maximum FAR of 1.5. All MXD designated areas shall contain a minimum of three (3) of the following general land uses:

- Residential (single-family and/or multifamily)
- Commercial – General and/or Neighborhood
- Commercial – Town Center
- Hotel (minimum 100 units)
- Office Uses – Professional and/or medical
- Industrial
- Institutional

Residential uses shall comprise a minimum of 40% of the total floor area of the Mixed Use Development future land use designation.

Code & Comprehensive Plan Conflicts with Intended designation

The subject property is located within the South Beach Overlay District, therefore subject to the adopted regulations of the district. Pursuant to City Code Section 22-16(a) South Beach Overlay District (3) a. Density; 1. Residential density shall be based on the requirements of the underlying zoning district except that in no instance shall residential density in the South Beach Overlay District exceed eight (8) units per acre. Furthermore, subsection 3 mandates that the residential component of a mixed use development shall not exceed eight (8) units per acre. The non-residential component of a mixed use development shall be based on the requirements of the underlying zoning district while factoring the affect and impacts of the residential component on the site.

A Zoning Text Amendment to the South Beach Overlay District would be required to provide consistency for the intended Future Land Use Designation of MXD, Mixed-Use, which facilitates development up to 15 dwelling units per acre.

In addition, the following Comprehensive Plan objectives and policies conflict with intended designation, in the absence of amendments:

1.1 Objective:

The City shall adopt and implement the Future Land Use Map to designate future land uses that regulate uses, densities and intensities that enhance its neighborhoods and districts:

1.1.10 Policy:

The City shall maintain the South Beach Overlay District in the Land Development Regulations for northern South Hutchinson Island to protect the existing neighborhoods and maintain a low-density, "Tropical Village by the Sea" character. The City will promote opportunities for tourism-related development and require the developments to be consistent with the provisions of the overlay district and the neighborhood character.

5.6 Objective:

The City shall direct population concentrations away from known or predicted Coastal High Hazard Areas (CHHA).

The owner's desire to pursue a Future Land Use Designation of MXD, Mixed-Use, would necessitate the review, approval, and adoption of various amendments by the City of Fort Pierce and the State of Florida in order to provide consistency.

City Commission Agenda Item - Proposed Ordinance 15-051

The City of Fort Pierce Commission is scheduled to consider Ordinance 15-051, encompassing a Zoning Atlas Amendment to rezone 18.02 +/- acres of property located at 601 Seaway Drive from R-3, Single-Family Moderate Density Residential to C-5, Tourist Commercial, at their September 8th, 2015 and September 21st, 2015 meetings.

A complete staff report detailing the request and analysis of the consistency with the established Code and Comprehensive Plan are provided with the City Commission agenda item, however a brief overview of the requested amendment is provided below.

The proposal entails the rezoning of the subject property from R-3, Single-Family Moderate Density Residential to C-5, Tourist Commercial. These zones present distinct differences in intended purposes for development and use. The amendment would shift focus from single-family residential development to tourist related commercial and a variety of residential uses. Furthermore, amendment to the designation of the upland property also shifts the prospects of development within the aquatic area, as the prospective marine related uses also become tourist commercial centered, in contrast with limitations of accessory structures and uses associated with upland single-family development.