



**TO:** Nicholas Mimms, PE, City Manager

**THROUGH:** Rebecca Grohall, AICP, Planning Director

**FROM:** Kori Benton, Senior Planner

**SUBJECT:** Ordinances 17-011 & 17-013 - Zoning Atlas Amendments  
 General Commercial (C-3) & Neighborhood Commercial (C-2)  
 900 – 1190 Avenue O

**DATE:** March 22, 2017

**STAFF REPORT**

**Owners:** Blue Water LLC.  
 312 SE 17th ST Fl 2  
 Fort Lauderdale, FL 33316

**Representative:** Amanda Martinez  
 Martinez Planning Associates, LLC  
 115 Citrus Park Circle  
 Boynton Beach, FL 33436

**Requested Action:** Approval of Zoning Atlas Amendments (Rezoning) from Single-family Moderate Density (R-3) & General Recreational Open Space (OS-1) to General Commercial (C-3) & Neighborhood Commercial (C-2)

**Location:** 900 – 1190 Avenue O

**Parcel IDs:** 2404-144-0000-000-9 & 2403-233-0002-000-3 (western 190 ft.)

**Current Zoning:** Single-family Moderate Density (R-3) & General Recreational Open Space (OS-1)

**Proposed Zoning:** General Commercial Zone (C-3) & Neighborhood Commercial (C-2)

**Surrounding Zoning:**

North	East	South	West
R-4	C-3	R-3	OS-1

**Parcel(s) Size:** 4.42 & 1.57 acres

**Utilities:** Located within the FPUA Retail Service Area

**Staff Analysis:**

The applicant is requesting the approval of a Zoning Atlas Amendment (Rezoning), for 5.99 acres of property, to place the properties within the General Commercial (C-3) and Neighborhood Commercial (C-2) zones. The affected property is held between two (2) parcels of land, segmented by an unopened extension of 10<sup>th</sup> Street right-of-way, which the applicant is concurrently seeking abandonment of. The western parcel, representing 4.42 acres, is within the Single-family Moderate Density (R-3) and the affected segment of the eastern parcel is within the General Recreational Open Space (OS-1).

The applicant seeks approval of a concurrent request to amend the Future Land Use designation of the subject parcels from Low Density Residential (RL) and Conservation Open Space (COS) to General Commercial (GC) and Neighborhood Commercial (NC).

The subject sites are located on the south side of Avenue O between Ilois Ellis Park (12<sup>th</sup> Street) and the US Highway 1 corridor. The sites are predominantly covered with vegetation, including pine, oak, and palm trees, as well as palmettos. The remaining property, 6.88 acres, held by the applicant to the east is within the General Commercial, C-3 district. The applicant seeks to couple the properties, with commercial designations, to market the properties for commercial development along US Highway 1.

### *History*

The entire property held by the applicant, 12.87 acres collectively, previously held a Future Land Use designation of RL, Low Density Residential and a zoning designation of R-3, Single-family moderate density residential until action by the City Commission in 1988 amended the land use and zoning of the eastern 8.45 acres. Ordinances I-293 & I-294 provided the existing General Commercial, C-3 designation for the eastern 6.88 acres abutting US Highway 1, while the remaining 1.57 acres of this parcel was placed within the General Recreational Open Space (OS-1) district to provide a buffer between the desired commercial development fronting US Highway 1, and the residential development and recreational park established to the west.

The applicant is seeking to further the extension of the commercial designation to provide greater opportunity to advance the property as a commercial hub, providing access to retail, grocery, and consumer services along the US Highway 1 corridor, accessible from mainland and island residents.

### *Proposed Amendments & District Comparison*

Figure 1 presents the land holdings of the applicant, the current zoning and land use designations, and proposed amendments for the collective sites. The outcome sought would provide an expansion of the General Commercial district, providing a transitional segment of the site within the Neighborhood Commercial zone.



Figure 1

Table 1 demonstrates basic use standards for development capacity within the existing and proposed designations for the subject site.

**Table 1:** Existing and Proposed Site Data – Zoning & Land Use

Zoning	Existing		Proposed	
	R-3	OS-1	C-3	C-2
Future Land Use (FLU)	RL	COS	GC	NC
Non-Residential Maximum Floor Area Ratio (FAR) Permitted	-	.25	1.0	.5
Maximum Lot Coverage Permitted	35%	40%	60%	60%
Maximum Height	28 ft. / 35ft	35 ft.	65 ft.	45ft.
Residential Density Allowance	1-6.5 du/ac	N/A	15 du/ac * Residential uses may comprise up to 20% of the total floor area of the General Commercial future land use designation.	10 du/ac * Residential uses may comprise up to 20% of the total floor area of the Neighborhood Commercial future land use designation

As demonstrated in Table 1, the maximum permitted non-residential floor area ratio (FAR) for the subject properties would increase to allow an FAR of 1.0 and .5 under the proposed amendments. Additionally, the maximum permitted lot coverage (area covered by buildings) would increase to 60%, allowing for more intense development of the properties. The expanded development capacity pursued by the applicant is primarily for consideration of options

such as grocery stores, retail sales and service, office uses, and restaurants. The General Commercial and Neighborhood Commercial districts also allow for vertical mixed-use development scenarios and variety of commercial users.

Table 2 demonstrates use type data for the proposed zoning designations for the subject site.

**Table 2: Proposed Site Data**

Zoning	<i>Proposed</i>	
	C-2	C-3
<b>Purpose</b>	This district is intended to be a restricted commercial zone which is designed to meet some of the commercial needs of the immediate residential neighborhood. Uses allowed are primarily those which provide convenience goods or frequently used services. Large business operations and extensions of strip commercial areas are not desired. Areas zoned C-2 should be located near the intersections of major streets and generally close to an R-4 zone.	This district is intended to provide for a broad variety of business activities including shoppers' goods stores, convenience goods and service establishments, offices and tourist/entertainment facilities. Many public and semi-public uses are also appropriate. This district is more suitable for uses requiring a high degree of accessibility to vehicular traffic, low intensity uses on large tracts of land, most repair services and small warehousing and wholesaling operations. Although this zone should be located along or near arterial or collector streets, it is not the intent of this district to encourage the extension of strip commercial areas. Instead it should promote concentrations of commercial activities.
<b>Permitted Uses Exclusive to District</b>	<ul style="list-style-type: none"> <li>• Coffee Shop</li> <li>• Administrative, Professional, General, Medical Office</li> <li>• Bed &amp; Breakfast</li> <li>• Grocery or Liquor Store</li> <li>• Neighborhood Commercial Sale</li> </ul>	<ul style="list-style-type: none"> <li>• Eating and Drinking Establishments</li> <li>• Administrative, Professional, General, Medical Offices</li> <li>• Grocery or Liquor Stores</li> <li>• Laundry &amp; Dry Cleaners</li> <li>• Entertainment, Indoor</li> <li>• Bar or Nightclub</li> <li>• Boat Sales</li> <li>• Overnight Accommodations</li> <li>• Retail Sales and Service</li> <li>• Vehicle Sales and Service</li> <li>• Fueling Station</li> <li>• Truck Stop</li> </ul>
<b>Conditional Uses Exclusive to District</b>	<ul style="list-style-type: none"> <li>• Community Center</li> <li>• Daycare Center</li> <li>• Brew Pub</li> <li>• Neighborhood Café</li> <li>• Restaurant &amp; Bar</li> <li>• Medical and Dental Clinic</li> </ul>	<ul style="list-style-type: none"> <li>• Multi-Dwelling Building(s)</li> <li>• Medical Facilities</li> <li>• Entertainment, Outdoor</li> <li>• Wholesale Trade</li> <li>• Vehicle Storage</li> </ul>

The zoning designations proposed shift the development objective from residential and recreational open space to commercial, providing a great variety of commercial activities, mixed-use situations, and increased enterprise concentrations when property size and infrastructure access enable such development. The amendment would create

the capacity to establish an extensive set of retail, entertainment, service, and even limited industrial establishments, while maintain a transition area of neighborhood compatible uses to the west end of the sites.

As noted with the land use amendment request, the applicant seeks to increase prospects of promoting a commercial center strategically located between north and south causeways, adjacent to the Port of Fort Pierce, and accessible to adjacent residential areas.

### *Potential Traffic Impacts*

The presented zoning atlas amendment presents the capacity for an increase in traffic volume and impacts upon build-out. The extent of the traffic impacts and mitigation options for roadway improvements will be more definitively quantified at the site of development consideration. Avenue O is presented a two lane, undivided roadway, with design challenges associated with expanding capacity at its intersection with US Highway 1. Presently, Avenue O experiences traffic generation associated with established residential neighborhoods, proximity to Ilous Ellis Park, and its support linkage to Frances K. Sweet Elementary and Lincoln Park Academy. Preliminary analysis of development capacity of the subject property has been completed, and the applicant has identified conceptual mitigation options. Options include pursuit of designated turn lanes to access the site, connectivity to Avenue M to disperse assignment of trips generated, and possibly advance of a lighted intersection at US Highway 1, if development impacts would justify such consideration. Further evaluation, pursuant to the City's concurrency requirements, in coordination with the Florida Department of Transportation (FDOT) will be necessary with the advance of a development plan for commercial activity.

### **Standards for Review**

The following standards must be satisfied per Section 22-131 of the City Code prior to the approval of the requested amendment:

- (1) The amendment is consistent with the comprehensive plan;
- (2) The amendment will not have an adverse effect on the ability of the city to:
  - a. Satisfy land and water use needs; and
  - b. Meet transportation demands and provide community facilities and services; and
- (3) The amendment will promote and protect the public health, safety and general welfare.

The proposed amendment advances many of the Goals, Objectives, and Policies of the City's Comprehensive Plan, and is consistent with the concurrent request to amend the Future Land Use Designation of the site, as the site fronts the major roadway corridor of US Highway 1, providing encouragement of commercial activities with higher intensity near major intersections. This furthers *Objective 1.10 to promote economic growth through commercial and industrial development to create employment opportunities and increase the City's tax and economic base*. This objective advanced through implementation of *Policy 1.10.2* to ensure that the FLU Map allocates sufficient lands for commercial and industrial purposes to serve future growth needs of the City. The applicant seeks to increase the availability of general commercial land adjacent to the US Highway 1, accessible to mainland and island development while providing a definitive transition from intense commercial uses desired along US Highway, stepping down intensity towards established residential development and active parklands.

Further, the applicant is aware that any future development should advance City Comprehensive Plan Objective 7.2, and policy 7.2.4 by *integrating a proportionate amount of open space and recreation area to be provided by both private enterprise and public agencies* by consideration of partnership that may include mechanisms such as minor land dedications, in favor of recreation and open space credits, and/or transfer of development rights. Design of a future development should embrace the surrounding uses, providing

appropriate transition to the adjacent parklands and residential housing, augmenting the introduction of commercial activities.

#### **Technical Review Committee:**

All affected departments have reviewed and approved the applications. No significant impacts to public facilities are immediately expected by the proposed amendment. Traffic impacts will be assessed further at the time of development application to determine any demand for transportation improvements to abutting roadways and intersections. Review comments provided by the Technical Review Committee are provided for further review.

#### **Property Owner Response Summary:**

A total of 38 notifications of the proposal were mailed to the owners of property located within 500 feet of the subject property. As of March 22<sup>nd</sup>, 0 responses have been received. An update will be provided to the City Commission at the public hearing.

#### **Planning Board**

The Planning Board, at their February 14<sup>th</sup>, 2017 meeting, voted unanimously to recommend approval of the request with the recommendation guided by staff. The applicant has revised the requests to incorporate said recommendation to provide a neighborhood commercial buffer at the western end of the sites.

#### **Staff Recommendation:**

The proposed amendment meets the criteria specified in Section 22-131 of the City Code and promotes and protects the public health, safety and general welfare; therefore Staff recommends **approval** of the proposed amendment.