



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

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

**FROM:** Vennis Gilmore, Planning Analyst

**RE:** **Application for Future Land Use and Zoning Map Amendments  
 Dogs & Cats Forever  
 4600 Selvitz Road**

**DATE:** October 18, 2017

**STAFF REPORT**

**Owner(s):** Dogs & Cats Forever  
 4600 Selvitz Road  
 Port St. Lucie, FL. 34981

**Applicant:** Atlantic Civil Engineering, Inc.  
 774 W. Midway Road  
 Fort Pierce, FL. 34982

**Applicant's Request:** Approval of a Future Land Use Map Amendment from RS, Residential Suburban to INST, Institutional and a Zoning Atlas Map Amendment (Rezoning) from AR-1, Agricultural Residential to PD, Planned Development in order to reflect the existing use of the site.

**Location:** 4600 Selvitz Road

**Parcel ID:** 2432-333-0001-000-3

**Current Future Land Use:** Residential Suburban (RS)

**Proposed Future Land Use:** Institutional (INST)

**Current Zoning:** Agricultural Residential (AR-1)

**Proposed Zoning:** Planned Development (PD)

**Surrounding FLU & Zoning:**

| North    | East    | South   | West     |
|----------|---------|---------|----------|
| INST/OS1 | RS/AR-1 | RS/AR-1 | P-F/INST |

**Site Size:** 8.48 acres

**Utilities:**

FPUA

**Staff Analysis:*****Request***

The applicant is requesting the approval of a Future Land Use Map Amendment from RS, Residential Suburban to INST, Institutional and a Zoning Atlas Amendment (Rezoning) from AR-1, Agricultural Residential to PD, Planned Development.

The subject use has been operational since 2010. The no-kill animal shelter currently consists of one (1) building (9,106 sq. ft.), 23 parking spaces, and 2 storage sheds. The applicant is proposing to add an additional 20, 974 square feet which is reflected in future planned-development site plan.

Table 1 demonstrates pertinent existing and proposed data for the subject site.

Table 1: Existing and Proposed Site Data

|                              | <b>Existing</b>  | <b>Proposed</b>   |
|------------------------------|--|---|
| <b>Zoning</b>                | AR-1   | PD – Planned Development  |
| <b>Future Land Use (FLU)</b> | RS   | INST - Institutional  |
| <b>Land Use Objective</b>    | The Residential Suburban (RS) land use category is intended to act as a transitional area between the agricultural areas and the more intense residential areas in the eastern portion of the County. This category is found predominantly along the western edge of the urban form, but is also appropriate for areas of special environmental concern such as along the North Fork of the St. Lucie River and the Indian River Lagoon. The RS designation is intended for large lot, single-family detached residential dwellings, at a density of one to two units per gross acre. These areas are not required to be served with central utilities; however when at all practical, service connections should be required. | The Institutional designation provides for public, quasi-public and private institutional uses. Permitted uses within this designation include government buildings; private and public schools; community centers; colleges; public airports; public parking structures; major community facilities, including hospitals, non-profit medical facilities, medical facilities; religious institutions and government offices. A maximum of 1.0 FAR is permitted. |
| <b>Land Use Breakdown</b>    | N/A  | N/A   |

## **History**

The subject site was annexed into the City of Fort Pierce in 2012. However, due to a scrivener's error; the site's zoning and future land use were never changed to fit the City of Fort Pierce's comprehensive development plan. At the time of the site's annexation there was no compatible zoning district. Given the existing use and the current zoning designation of the site, the site is considered to be nonconforming with regard to use. Per Article VII of the City Code, the site would be allowed more flexibility for growth and expansion if it were re-zone to (PD) Planned Development. The (PD) Planned Development District is intended to provide a process for the evaluation of individually planned developments which are not otherwise permitted in the zoning districts established by this chapter.

## **Standards for Review**

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

- (1)The amendments are consistent with the comprehensive plan;
- (2)The amendments 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 amendments will promote and protect the public health, safety and general welfare.

The proposed amendments are consistent with the Goals, Objectives, and Policies of the City's Comprehensive Plan and is consistent with the concurrent request to amend the Zoning designation of the site. Furthermore, the amendments should not have adverse an effect on the ability of the city to satisfy land and water use needs, meet transportation demands, and provide community facilities and services. The presented amendments promote and protect the public health, safety and general welfare through the increased variety and access to neighborhood goods and services while ensuring minimal impacts to neighboring residential districts.

## **Technical Review Committee**

All affected departments have reviewed the proposed Future Land Use Map Amendment and Zoning Atlas (re-zoning) Map Amendment with regards requirements of the City Code. No significant impacts to public facilities are immediately expected by the proposed amendment. Findings from the review by corresponding departments and any associated responses by the applicant are provided for viewing by the Planning Board.

## **Planning Board Recommendation**

The Planning Board, at their September 28<sup>th</sup>, 2017 meeting voted unanimously in favor to recommend approval of the requested Future Land Use and Zoning Atlas Amendment.

The Planning Board, at their September 28<sup>th</sup>, 2017 meeting also voted unanimously in favor to recommend approval of the requested Planned Development with the understanding the applicant is going to work out the noise issues with the residents of the neighborhood.

Staff, Atlantic Civic Engineering and concerned adjacent neighbors; organized and scheduled a meeting to discuss a sound barrier. Every interested party decided on October 3, 2017 as the date to meet and discuss a sound barrier. There were 11 individuals in attendance. The applicant and neighbors came to an agreement that the each would support the building of a six (6) foot high stucco and painted-concrete wall along the eastern property line with some additional wrapping on the northern and southern ends of the Planned Development of Dogs and Cats Forever. An exact copy of the attendance sign-in list is available to view; as well as a typed version. The applicant has agreed to build a six (6) foot high stucco and painted – concrete wall along the eastern property line with some wrapping at the northern and southern sides. A site plan with the concrete wall as a sound barrier is provided for viewing.

### **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 that the City Commission, **approve** the proposed amendments.