



TO: Nicholas Mimms, PE, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Brandon Creagan, LEED Green Associate, Planner

RE: **Zoning Atlas Map Amendment – General Commercial (C-3)
 3530 S. US 1**

DATE: October 24, 2017

STAFF REPORT

Applicant/Property Owner: TLCD Properties LLC (Charles Smith)
 401 N Peppertree Drive
 Vero Beach, FL 32963

Representative: Ian Osking
 P.O. Box 1270
 Fort Pierce, FL 32962

Requested Action: Recommendation of Approval for a request to rezone the property from PD, Planned Development to C-3, General Commercial.

Site Location: 3530 S. US 1

Parcel ID: 2434-121-0001-000-8

Existing Use: Vacant

Parcel Size: 4.04 Acres

Current Zoning: PD, Planned Development

Future Land-Use GC, General Commercial

Proposed Zoning: C-3, General Commercial

Surrounding Zoning:

North	East	South	West
C-3	PD	C-3	I1

Staff Analysis:

The applicant is requesting the approval of a Zoning Atlas Map Amendment (Rezoning), for a 4.04 acre property located at 3530 S. US 1. Currently the property is zoned PD, Planned Development and the applicant would like to rezone the property to C-3, General Commercial. The parcel is currently vacant and shares the south property line with Manatee Mobile Home Park. All remaining abutting parcels to the north and east are also vacant. The eastern abutting parcel is St. Lucie County right-of-way. Currently there are no plans to develop the parcel. The applicant wants to rezone the parcel so that it is marketable to developers and so that it is compatible with its Future Land-Use of GC, General Commercial and compatible with surrounding parcels. The applicant is looking to sell the parcel if the request for rezoning is approved by the City Commission.

History:

The parcel was annexed under Ordinance I-337 into the City of Fort Pierce on August 22, 1989. The parcel was given a C-3, General Commercial Zoning designation and a GC, General Commercial Future Land-Use designation. The parcel was then rezoned under Ordinance I-353 from C-3, General Commercial to PD, Planned Development on November 20, 1989. The property was rezoned to PD to be included in the Plantation Palms residential development. The parcel was to serve as access to the main development site because it offered direct access to US highway 1.

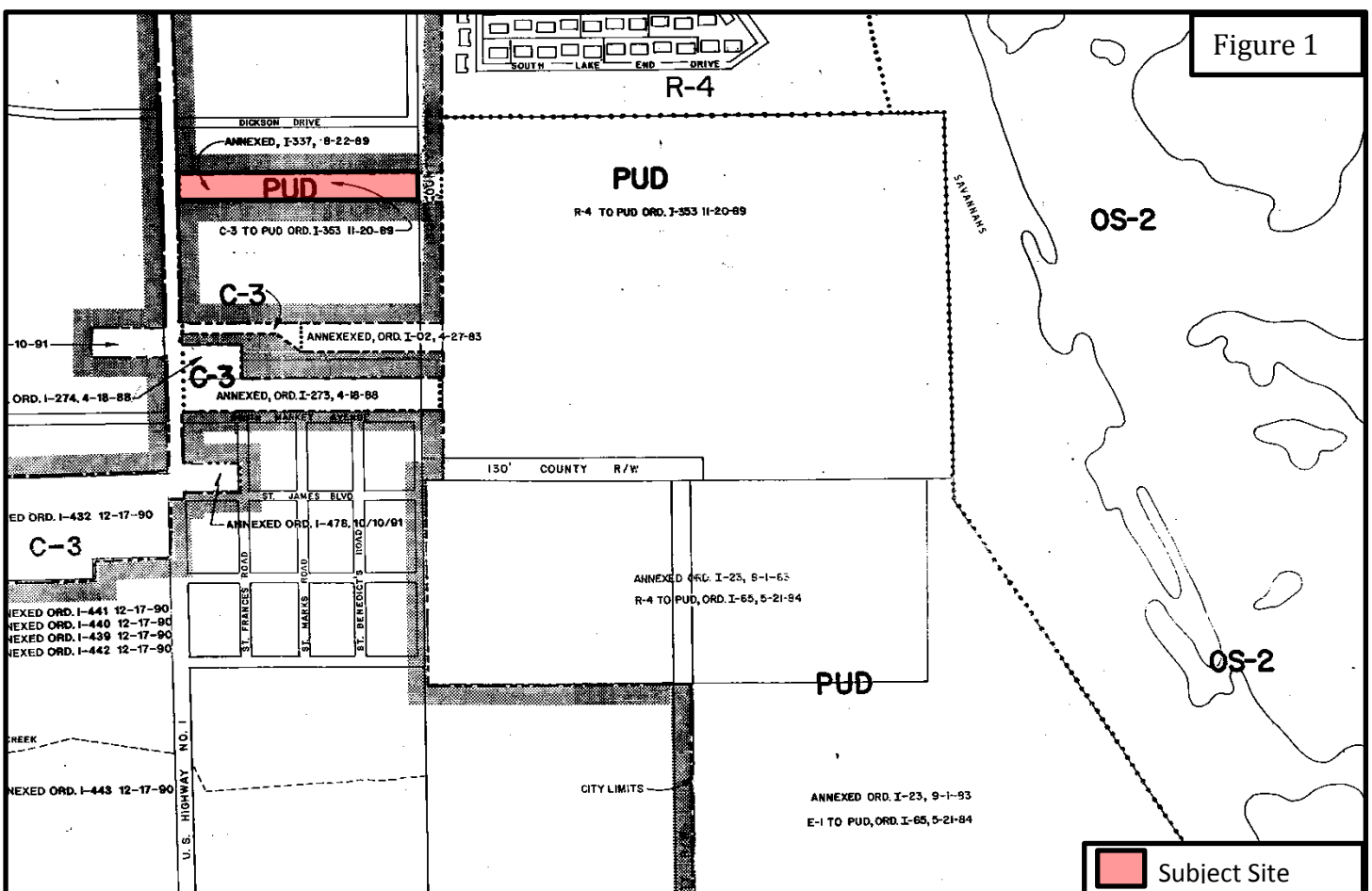


Figure 1 represents sheet number 13 of the City of Fort Pierce Zoning Atlas. This Zoning Atlas shows the Ordinance number and date for when the parcel was annexed into the city. The document also provided an Ordinance number and date for when the parcel was rezoned from C-3, General Commercial to PD, Planned Development.

Proposed Amendments & District Comparison:

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 & Future Land-Use

	Existing	Proposed
Zoning	PD	C-3
Future Land-Use (FLU)	GC	GC
Non - Residential Maximum Floor Area Ratio (FAR) Permitted	1.0	1.0
Maximum Lot Coverage	Determined by Site Plan in Accordance with the Future Land-Use (Must Maintain at Least 20% Open Space)	60%
Maximum Height	Determined by Site Plan in Accordance with the Future Land-Use	65 ft.
Residential Density Allowance	15 du/ac * Residential uses may comprise up to 20% of the total floor area of the General Commercial Future Land-Use designation.	15 du/ac * Residential uses may comprise up to 20% of the total floor area of the General Commercial Future Land-Use designation.

As proposed the applicant is requesting to rezone the property to C-3, General Commercial so that it can become compatible with its Future Land-Use of GC, General Commercial. The Future Land-Use will not be changing.

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

Table 2: Existing and Proposed Site Data

	Existing	Proposed
Zoning	PD	C-3
Purpose	The PD 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. The PD District is to be a voluntary process commenced by an applicant for such zoning designation. The standards and procedures of this district are intended to promote flexibility of design and permit planned diversification and integration of uses and structures, while at the	The 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. Compared to the C-4 zone, 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

	<p>same time granting the city commission the absolute authority to establish such limitations and regulations as it deems necessary to protect the public health, safety and general welfare.</p>	<p>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.</p>
<p>Permitted Uses in the District</p>	<p>The PD District is intended to provide a process for the evaluation of individually planned developments which are not otherwise permitted in the zoning districts</p>	<ul style="list-style-type: none"> • Vertical Mixed Use Building • Government Facilities • Park & Open Space • Bus Shelter • Restaurants & Bars • Coffee Shops • Theater • Administrative, Professional, General, & Medical Offices • Medical & Dental Clinics • Television & Radio Stations • Grocery & Liquor Stores • Bed & Breakfast • Hotel & Motels • Art Gallery • Pet Stores • Pawn Shop • Automobile Sales & Rental • Boat Sales & Rental • Vehicle Repair, Limited
<p>Conditional Uses in the District</p>	<p>All PD uses require approval by the Fort Pierce City Commission</p>	<ul style="list-style-type: none"> • Multi-Dwelling Building • Group Living • Day Care Center • College or University • Elementary, Middle or High School • Hospitals • Nursing Homes • Arcade Amusement Center • Recreational Vehicle Park • Animal Care Facilities & Service • Self-Service Storage • Vehicle Repair – General • Vehicle Storage • Warehouse & Freight

The zoning designation amendment would shift any future proposed development from the PD use, which can include a broad scope of uses with a City Commission approved site plan, to a commercial use that is regulated by City Code 22-22, Allowed Uses, City Code 22-31, General Commercial Zone, and Chapter 1 of the Future Land-Use Element in the Comprehensive Plan. The C-3, General Commercial zoning district allows for some uses to be permitted, where formal applications may not need to be submitted for development. It also provides the opportunity a Conditional Use to be applied for when a use may or may not be compatible with the surrounding uses. Any Conditional Use in the C-3, General Commercial zoning district will require approval by the Fort Pierce City Commission.

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 seeks to bring the property into conformity with its Future Land-Use of GC, General Commercial and with other parcels along the US 1 corridor. The request for the proposed amendment is compatible with the Goals, Objectives, and Policies of the City's Comprehensive Plan. The US 1 Corridor is a major thoroughfare through the city and in that corridor sits many of the major commercial developments in the city. Rezoning this parcel back to C-3, General Commercial would help to continue the commercial growth along that corridor.

Technical Review Committee:

All affected City Departments have reviewed the proposed Application for Zoning Atlas Map Amendment and have provided conditional approval based on compliance with requirements of the City Code. The comments generated from the technical review, and any responses by the applicant are provided for review.

Public Notification:

20 notification letters have been mailed out to owners of property within 500 feet of the proposed rezoning. As of October 24, 2017 no letters have been received in favor of or in opposition to the request. An update will be given at the City Commission meeting on November 6, 2017.

Planning Board:

At their meeting on October 10, 2017 the Planning Board voted 5-0 to recommend approval to the City Commission for the request to rezone the property from PD, Planned Development to C-3, General Commercial.

Staff Recommendation:

The requested Application for Zoning Atlas Map Amendment meets the criteria specified in Section 22-131 of the City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare; Staff recommends that the City Commission **approve** this requested rezoning.