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**TO:** Nicholas Mimms, P.E., City Manager

**THROUGH:** Rebeca Guerra, AICP, LEED-AP, CLD, Interim Planning Director

**FROM:** Brandon Creagan, LEED Green Associate, Planner

**RE:** **Application for a Zoning Atlas Map Amendment**  
**Application for a Future Land Use Map Amendment**  
**Blue Sky Communities**

**BOARD DATE:** July 15, 2019

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### STAFF REPORT

**Property Owner** St. Lucie County  
2300 Virginia Avenue  
Fort Pierce, Florida 34982

**Applicant:** Blue Sky Communities  
5081 SW 48th Street, Suite 103  
Tampa, FL 33607

**Representative:** Culpepper & Terpening, Inc.  
2980 South 25<sup>th</sup> Street  
Fort Pierce, FL 34981

**Requested Action:** Approval to rezone the subject property from C-3, General Commercial to R-5, High Density Residential.

Approval to change the Future Land Use from GC, General Commercial to RH, Heavy Density Residential.

**Site Location:** North of Walmart, West of Portofino Lands, South of Sabal Chase Apartments, and East of Samuel S. Gaines Academy.

**Parcel ID:** 2419-211-0004-000-8

**Existing Use:** Vacant

**Parcel Size:** 9.16 Acres +/-

**Current Zoning:** General Commercial (C-3)

**Current Future Land Use** General Commercial (GC)

**Proposed Zoning:** Heavy Density Residential (R-5)

**Proposed Future Land-Use** Heavy Density Residential (RH)

**Surrounding Zoning/FLU:**

North	East	South	West
C-3/GC	C-3/GC	C-3/GC	C-3/GC

**Staff Analysis:**

***Request***

In accordance with Sections 22-128 & 22-143 of the City Code, the applicant is requesting the review and approval of a Zoning Atlas Map Amendment (Rezoning) from C-3, General Commercial to R-5, High Density Residential. The applicant is also requesting review and approval of a Future Land Use Map Amendment from CG, General Commercial to RH, High Density Residential. The applicant would like to rezone and change the Future Land Use of the property so they can use the property for a future multi-family development.

***Background***

The subject site was originally apart of the Portofino Landings apartment complex, but due to the recession of the mid 2000’s this extension to the apartment complex was never completed. St. Lucie County would come to take ownership of the property. Blue Sky Communities is partnering with St. Lucie County to develop a multi-family development on this site.

***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 is consistent with the Goals, Objectives, and Policies of the City’s Comprehensive Plan, as the applicant along with the Rezoning change is requesting the Future Land Use to be changed to a compatible Future Land Use. Furthermore, the amendment would not have an adverse effect on the ability of the city to satisfy land and water use needs, meet transportation demands, and provide community facilities and services. There are three multi-family developments around this site and the services that are provided for those developments would be the same or similar. The presented amendment promotes and protects the public health, safety and general welfare through the rezoning of this property because the applicant intends to develop a multi-family development and multi-family is more compatible with R-5, High Density Residential than it is with the current zoning of C-3, General Commercial. It would also promote and protect the public health, safety, and general welfare because there are almost no standards in the C-3 Zoning designation to regulate residential. By rezoning the property to an appropriate residential Zoning designation, it allows staff to properly regulate the use of the property.

### ***Future Land Use Designation Comparison***

The subject site currently has a Future Land Use of GC, General Commercial. This designation is intended for parcels that are for higher intensity commercial developments or horizontal and vertical mixed-use developments. Uses allowed within this designation include multifamily residential, intensive and general commercial, retail, service, offices, tourist/entertainment facilities, hotels/motels, parks and recreation, along with compatible public, quasi-public, and special uses. This land use designation allows for a maximum density of 15 dwelling units per acre and a maximum FAR of 1.0. Development shall include either commercial or mixed uses fronting major roadway corridors with higher intensity near major intersections. Residential uses may comprise up to 20% of the total floor area of the General Commercial future land use designation.

The subject site is seeking a Future Land Use of RH, Heavy Density Residential. This designation is intended for parcels that are best suited for medium to high density multifamily residential uses ranging in density from 12 to 18 dwelling units per acre. This category allows multifamily dwellings including apartments, condominiums and townhomes. Limited commercial uses intended to serve the residential uses shall be allowed. Compatible public, quasi-public, and special uses including parks, churches, non-profit clubs, schools and daycare facilities shall also be allowed.

When comparing both of these designations the High Density Residential designation would be considered a less intense designation compared to the General Commercial designation. While this property is surrounded by properties that hold a GC, General Commercial Future Land Use designation, the proposed use of multi-family would be compatible with the two multi-family developments of Portfino Landings and Sable Chase Apartments that surround this property. This property is also within approximately 350 feet of the the Treasure Cay Apartment Complex that has a Future Land Use of RH, High Density Residential.

### **Technical Review Committee:**

All affected City Departments have reviewed the proposed Application for Zoning Atlas Map Amendment and Future Land Use 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.

### **Planning Board:**

The Planning Board at their meeting on June 11, 2019 voted 6-0 to recommend approval of both the Application for Zoning Atlas Amendment and Future Land Use Map Amendment.

### **Public Notification:**

11 letters were sent out to property owners within 500 feet of the subject property for the Zoning Atlas Map Amendment. No letters have been returned, an update will be given at the City Commission meeting.

**Staff Recommendation Zoning Atlas Map Amendment:**

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** the request as presented.

**Staff Recommendation Future Land Use Map Amendment:**

The requested Application for Future Land Use 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** the request as presented