



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

THROUGH: Jennifer Hofmeister, AICP, LCAM Planning Director

FROM: Brandon Creagan, LEED Green Associate, Planner

RE: **Application for a Zoning Atlas Amendment (Rezoning)**
IH, Industrial Heavy (County) to PD, Planned Development (City)
Application for Subdivision (Final Plat)
FP Aggregate Recycling Facility – 2432-123-0001-000-8

BOARD DATE: September 16, 2019

STAFF REPORT

Property Owner/Applicant: D.S.E. Holdings Inc.
1483 Kinetic Road
West Palm Beach, FL 33403

Representative: 2GHO (Emily O'Mahoney)
1907 Commerce Lane, Suite 101
Jupiter, FL 33458

Requested Action: Approval to rezone the subject property from Industrial Heavy (IH), (St. Lucie County Zoning) to Planned Development (PD), (City of Fort Pierce Zoning) with an accompanying development plan

Approval of a Final Plat

Site Location: Between Glade Cut Off Road & Bandy Boulevard approximately 1,100 feet east of Selvitz Road

Parcel IDs: 2432-123-0001-000-8

Existing Use: Vacant

Parcel Size: 52 Acres

Current Zoning: Industrial Heavy (IH) – St. Lucie County Zoning

Future Land-Use Heavy Industrial (HI)

Proposed Zoning: Planned Development (PD)

Surrounding Zoning:

North	East	South	West
I-3/PD	R-2	I-3	I-3

Staff Analysis:***Request***

In accordance with Sections 22-40, 22-128, and 22-143 of the City Code, the applicant is requesting the review and approval of a Zoning Atlas Map Amendment (Rezoning) from St. Lucie County Heavy Industrial (HI) to City of Fort Pierce Planned Development (PD). The land size for the project is approximately 52 acres.

In conjunction with the Zoning Atlas Map Amendment application, pursuant to Chapter 18, the applicant is also requesting review and approval of a Final Plat for 52 acres of property.

History

The subject site, in addition to seven other parcels, was annexed into the City limits in 2004 via Ordinance K-310 for the purpose of annexing property generally located between Selvitz Road and 25th Street that were identified as being contiguous to the municipal boundary. As such, these parcels were corresponding to FPUA annexation agreements on file with the City.

Three of the seven parcels annexed were designated with an IH zoning classification by St. Lucie County at the time of annexation. However, the City Code did not include a heavy industrial zoning classification until several years after annexation in December of 2008 via Ordinance L-63. The property was originally annexed into the City as I-1. In the absence of an equivalent City of Fort Pierce zoning designation to assign, the property reverted back to its original zoning with St. Lucie County of IH in 2011 through Ordinance L-226. The purpose of this reversion was that it was deemed that the City zoning that was given to the parcel in 2004 was incorrect. Even though the City had a Heavy Industrial Zoning designation by 2011, it could not assign this zoning district to the parcel because it did not exist at the time of annexation in 2004. The only option was to return to the previous zoning that was in place in 2004. This places the onus on any future property owners to go through the City's rezoning process in order to allow the property to be used for its intended purpose.

Future Land Use Designation & Comprehensive Plan

The subject site has a Future Land Use designation of HI. This designation is intended for parcels suitable for industrial development to promote the City's position as a major employment center. The uses allowed under this designation include intensive manufacturing and processing facilities; storage and distribution facilities; warehousing; general and intensive commercial uses; large business parks; office, retail, and service uses that provide support to employees; and compatible public, quasi-public, and special uses. This land use designation allows a maximum Floor Area Ratio (FAR) of 2.0.

The requested zoning designation and proposed development plan are consistent with the Future Land Use Element of the Comprehensive Plan.

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, and Future Land Use designation of HI. Furthermore, the amendment will 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. The presented amendment promotes and protects the public health, safety and general welfare through the designation of lands; when location and characteristics are appropriate, to provide manufacturing and processing facilities, distribution facilities, warehousing, and intensive commercial uses to promote the City's position as a major employment center. Specific uses and developments shall comply with established land development regulations, and seek to ensure minimal impacts to neighboring uses or districts.

Planned Development Overview:

The Applicants are seeking a PD to operate a facility that will be known as the "Fort Pierce Industrial Aggregate Recycling Facility." The uses of this facility will be office, warehouse, and a recycling center. The recycling facility will be used for unused and retired concrete and asphalt materials. The project will be developed in two phases, with the recycling facility portion being Phase 1 and the office/warehouse facility being Phase 2 of the project. During Phase 1, a small office will be utilized as the applicant has indicated there is not an immediate need for a full office complex at this time.

The applicant has stated that the site plan is laid out in such a way that the storing and processing of aggregate materials is as far away as possible from any residential structures or the adjacent school. Between the stored material and the residential buildings/school, there will be an equipment storage area, the future office complex, and a retention pond. All of these areas will act as separate buffers from the residential buildings and the school. To further this buffer, the applicant is providing a heavy landscaping buffer and opaque fencing along all areas of the property that it shares with the residential and school properties. This particular landscape buffer ranges between 33 feet to 42 feet in width. The standard requirement for a landscape buffer in the City is 10 feet, and the applicant is providing more than the requirement in an attempt to mitigate any potential impacts of the development on adjacent property owners.

The applicants are requesting as part of the subject PD that the outdoor storage of materials be stacked as high as 30 feet tall. Staff opposes this request and has placed a condition that the outdoor storage of material comply with a maximum height of 15 feet, as outlined in City Code 22-67(e)(5). With the close proximity to a school and residential communities, Staff would not recommend increasing the height above what City Code currently allows in other commercial and industrial zoning districts.

The applicants have provided a dust control plan and expressed that they have almost 30 years of experience in operating a facility like this without a dust problem. A watering truck will be kept on site to keep all areas moistened to prevent excess dust from occurring. The specialized recycling equipment also uses a water feature to prevent the creation of dust.

The hours of operation for the site will be Monday through Friday, from 7am to 7pm, with the concrete recycling portion of the development occurring Monday through Thursday and maintenance and repairing of equipment taking place on Fridays. Saturdays are reserved for either recycling or maintenance activities.

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.

Planning Board:

The Planning Board at their meeting on August 13, 2019 and voted 5-0 to recommend approval of the request with 11 conditions. The Planning Board does not review Final Plats pursuant to City Code 18-9 (b).

Public Notification:

Thirty-one letters were sent out to property owners within 500 feet of the subject property. There have not been any letters returned and an update will be given at the City Commission meeting.

Staff Recommendation:

The requested Application for Zoning Atlas Amendment meets the criteria specified in Sections 22-40 and 22-131 of the City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare, Therefore Staff recommends **APPROVAL** of the request with the following 11 conditions.


1. The height of staked materials shall not exceed 25 feet.
2. At time of Building Permit submittal, a copy of the FDEP Air General Permit shall be forwarded to the City's Engineering Department.
3. The Phase 2 parking lot shall include appropriate curbing at landscaped islands, as per the requirements listed in Section 22-187(12)(d).
4. Before a Certificate of Occupancy is issued, a Landscape Bond shall be submitted for all proposed landscaping, pursuant to City Code 22-180, except for such bond being for a period of 60 months.
5. No melting or burning of any materials shall take place on site.

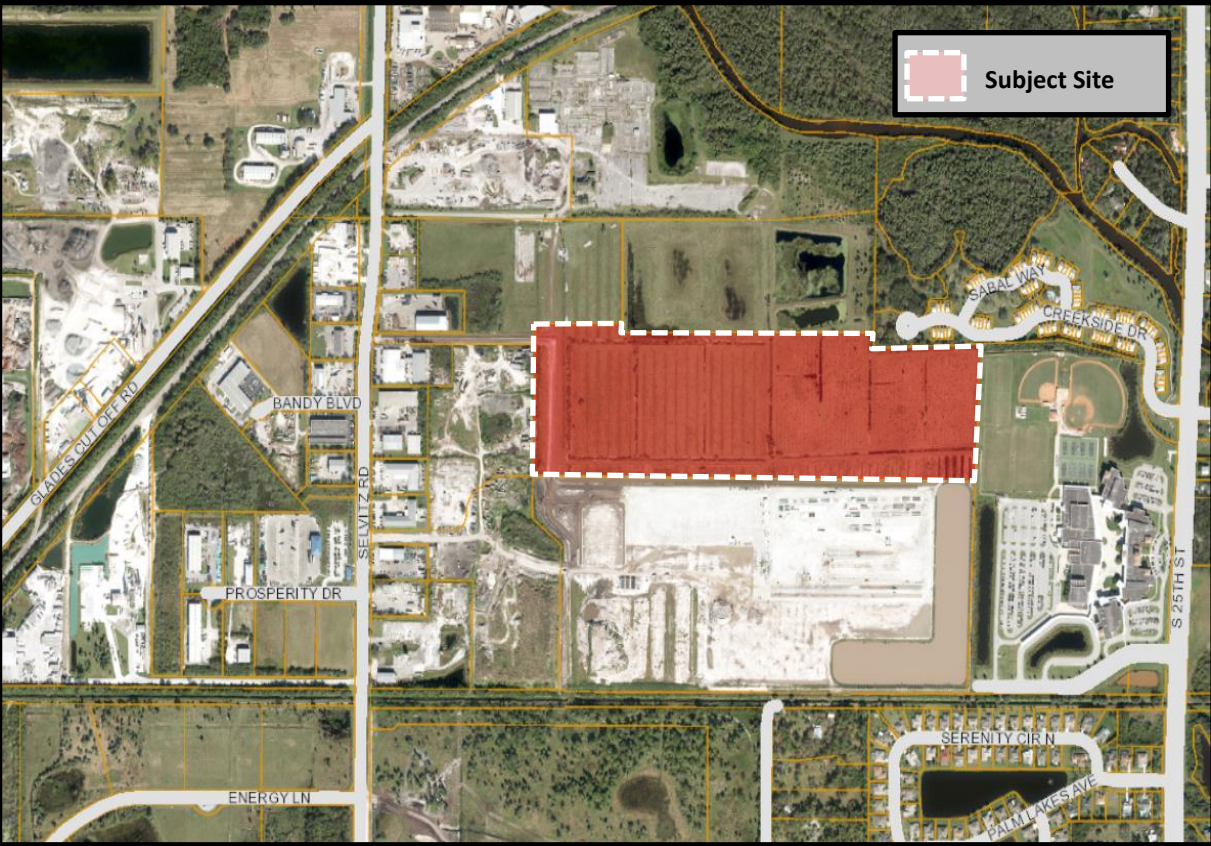
6. The operations shall adhere to the submitted and approved truck route to and from the site. Any deviation from this approved truck route shall be subject to review and approval by the Planning Department.
7. The operation shall adhere to the noise Ordinance, as outlined in Sections 11-52 through 11-52.22.
8. The eastern limit of the aggregate recycling facility shall now become the quarter section line.
9. The operator shall adhere to the D. S. Eakins Construction Corporation Dust Mitigation Plan for the Fr. Pierce Industrial Aggregate Recycling Facility, provided with the application submittal May 31, 2019. The operator shall maintain records of the actions taken to control dust in the plan. The records shall be available to the City of Fort Pierce and the School Board of St. Lucie County.
10. Landscape on the East/Northeast buffers shall be properly maintained, and any dead or nonproductive plant material shall be replaced. It shall be provided with a permanent irrigation system. The landscaping shall be comprised of a berm of at least 15 feet in height with opaque fencing a minimum 8 feet in height erected on top.
11. The work hours shall be 7 AM until 7 PM Monday thru Saturday.

Staff Recommendation: Final Plat

The Final Plat meets the above standards of the City's Land Development Code and Comprehensive Plan; therefore, Staff recommends **APPROVAL** of the request with the following condition:

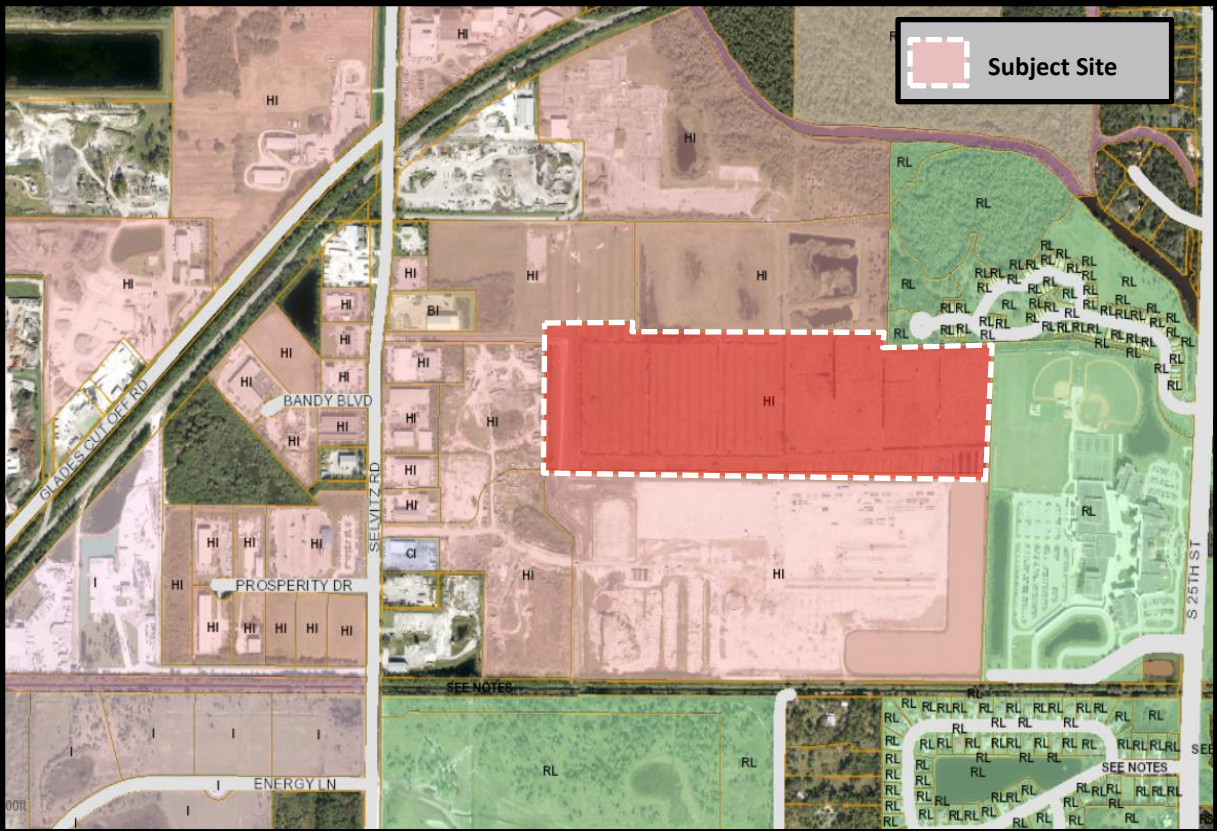
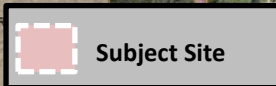
1. The applicant will supply two (2) Mylars before the City Commission meeting for appropriate signatures and then the plat is recorded with St. Lucie County Clerk of Courts in accordance with Florida State Statute 177.111.

 Subject Site



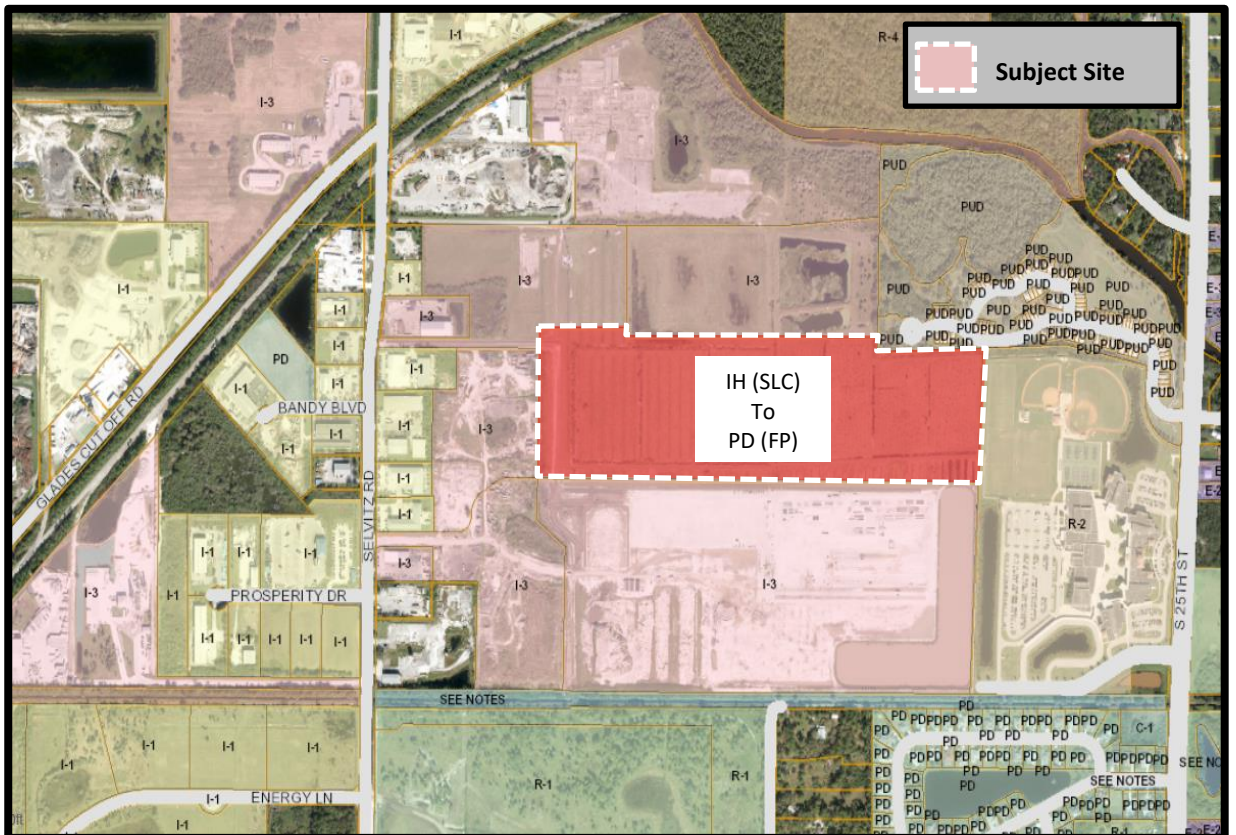
Final Plat
Fort Pierce Aggregate Facility
Aerial Map






Final Plat
Fort Pierce Aggregate Facility
Future Land Use Map





 Subject Site

**IH (SLC)
To
PD (FP)**



**Final Plat
Fort Pierce Aggregate Facility
Zoning Map**





THE SUNRISE CITY
FORT PIERCE
ENGINEERING
DEPARTMENT

Florida

RECEIVED

JUN 04 2019

To : Brandon Creagan, Planner

FROM : John R. Andrews, P.E., City Engineer

JRA

CITY OF FORT PIERCE
PLANNING & ZONING

**RE : D.S.E. Holdings Final Plat
3896 Selvitz Road
TRC No. 19-09000003**

DATE : June 4, 2019

This is to advise you that we have completed the review of the following documents as received by this office on May 31, 2019:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Final Plat Submittal | <input type="checkbox"/> P/D Drawings |
| <input type="checkbox"/> Test Reports & Related Documents | <input type="checkbox"/> Certificate of Completion |
| <input type="checkbox"/> Record Drawings | <input type="checkbox"/> Permits from applicable Local, State & Federal Agencies |
| <input type="checkbox"/> Clearances from all applicable Local, State and Federal Agencies | |

Based on our reviews and appropriate site final inspection, we

- | | | |
|---|--|------------------------------|
| <input checked="" type="checkbox"/> Recommend w/ Conditions | <input type="checkbox"/> Do not Recommend | |
| <input type="checkbox"/> Approval of Site Plan | <input checked="" type="checkbox"/> Approval of Final Plat | <input type="checkbox"/> C/O |

Developer, Owner, Engineer, Contractor and other members of the Development Team must be aware, the above recommendation is based only on the construction requirements of the engineering plans and other engineering documentation approved by this department. The Development Team shall be responsible for the compliance with other City department requirements and all approved documents, as well as Local, State and Federal regulations. The development requirements for this project may necessitate additional construction requirements that are not subject to this department's review for approval.

- See attached for conditions of approval

ENGINEERING COMMENTS:

1. **Advisory Comment:** Prior to City Commission approval the appropriate PRM inspection shall be conducted with NorthStar Geomatics.
2. **Advisory Comment:** Prior to City Commission approval update sheet 1 of 2, under the heading of "Certification of City's Reviewing Surveyor", revise the word *CERTIFIES* to read *CERTIFIED*.

JRA/TST/tst

TST



To : Brandon Creagan, Planner

FROM : John R. Andrews, P.E., City Engineer

**RE : D.S.E. Holdings Final Plat
3896 Selvitz Road
TRC No. 19-09000003**

DATE : May 16, 2019

This is to advise you that we have completed the review of the following documents as received by this office on May 3, 2019:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Final Plat Submittal | <input type="checkbox"/> P/D Drawings |
| <input type="checkbox"/> Test Reports & Related Documents | <input type="checkbox"/> Certificate of Completion |
| <input type="checkbox"/> Record Drawings | <input type="checkbox"/> Permits from applicable Local, State & Federal Agencies |
| <input type="checkbox"/> Clearances from all applicable Local, State and Federal Agencies | |

Based on our reviews and appropriate site final inspection, we

- | | | |
|--|--|------------------------------|
| <input type="checkbox"/> Recommend | <input checked="" type="checkbox"/> Do Not Recommend | |
| <input type="checkbox"/> Approval of Site Plan | <input checked="" type="checkbox"/> Approval of Final Plat | <input type="checkbox"/> C/O |

Developer, Owner, Engineer, Contractor and other members of the Development Team must be aware, the above recommendation is based only on the construction requirements of the engineering plans and other engineering documentation approved by this department. The Development Team shall be responsible for the compliance with other City department requirements and all approved documents, as well as Local, State and Federal regulations. The development requirements for this project may necessitate additional construction requirements that are not subject to this department's review for approval.

- See attached for comments

ENGINEERING COMMENTS:

1. Please make the following modifications to the submitted plat:
 - a. Sheet 1 of 2 – Add the City Attorney's Certification
 - b. Sheet 1 of 2 – Under the description revise the bearing noted as N 87°33'45" E to match the bearing identified on Sheet 2 of 2 which identifies the bearing as N 87°33'45 W
 - c. Sheet 1 of 2 – Under the City Commission Certificate revise the plat from preliminary to final.
 - d. Sheet 1 of 2 – Remove the reference to Preliminary as stamped at the bottom of the page.
 - e. Sheet 1 of 2 – Rename the "Certification of City Surveyor" to read "Certification of City's Reviewing Surveyor".
 - f. Sheet 1 of 2 – Under the Certification of City Surveyor, update the surveyor's name to Gregory S. Fleming, Florida Registration No. 4350, City of Fort Pierce.
2. Advisory Comment: Additional review comments may be forthcoming once the City's reviewing surveyor has completed his review. His review of the plat will commence once review fees have been paid, see attached invoice.

JRA/TST/tst

TST



SURVEYING/MAPPING
GEOGRAPHIC INFORMATION SYSTEMS
ASSET INVENTORY

P.O. Box 2371
Stuart, FL 34995

Invoice

Date	Invoice #
5/13/2019	6356

Bill To:
City of Ft. Pierce Engineering Attn: Tracy Telle P O Box 1480 Ft. Pierce, FL 34954-1480

NS Proj # / Location	P.O. Number:	Terms
19-029		Due on Receipt

Item	Description	Hours/Qty	Rate	Amount
Lump Sum	Professional Plat Review and PRM Inspection --- D.S.E. Holdings Plat		1,200.00	1,200.00

Total			\$1,200.00
Payments/Credits			\$0.00
Balance Due			\$1,200.00

Phone #	Fax:
772-781-6400	772-781-6462



**BUILDING DEPARTMENT
TECHNICAL REVIEW COMMITTEE (TRC)
COMMENT FORM**

Meeting Date: 5.16.19
Property Address: 3896 Selvitz Rd.
Property Name: DSE Holdings
Project Name:
Planner: Brandon Creagan

Please be advised that the project may trigger the requirements indicated below:

- 1. Building Official or his representative has no comment at the time of this meeting, but reserves submission of comments upon completion of the official plan review.
- 2. Pre-construction meeting with the City's Building Department is requested.
- 3. Any construction will need to meet the requirements of the Florida Building Code 6th Edition.
- 4. Means of egress is required.
- 5. Means of ingress is required.
- 6. Must meet the following Accessibility requirements:
 - Accessible route
 - Handicapped parking spaces
 - Means of egress
- 7. Change of Use required
 - to include a signed and sealed Life Safety Plan
 - to include a signed and sealed detailed comprehensive building plan.
- 8. Property exists in Special Flood Hazard Area. All Federal and State requirements shall be addressed.
- 9. Flood Development Permit required.
- 10. Building Permit required.
- 11. Signed and sealed construction drawings required.
- 12. Will need to meet the Fire Code.
- 13. Sprinkler system is required.
- 14. Smoke alarm system is required.
- 15. Other

Additional Comments/Requirements:

Building Official's or Representative's Signature _____

Date: _____

5/13/19



Fort Pierce Utilities Authority
Water/Wastewater Engineering
1701 South 37th Street
Fort Pierce, FL 34947
772.466.1600 x3473

Technical Review Committee meeting

May 16, 2019

TECHNICAL REVIEW PROJECT # 19-09000003 & 19-43900003

Final Plat & Planned Development – D.S.E. Holdings, Inc. – 3896 Selvitz Road

Comments

FPUA W/WW Engineering: Approved

FPUA Electric & Gas Engineering: Electric is available, but I need more info on service size and operating voltage



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THE SUNRISE CITY
FORT PIERCE
POLICE DEPARTMENT
"In Honor We Serve"

Florida

Technical Review Committee meeting

May 16th, 2019

Case # 19-09000003 / 19-43900003

Final Plat and planned development

D.S.E Holdings, 3896 Selvitz Rd., Ft. Pierce

Comments:

No comments.

Officer Damian Spotts

Crime Prevention Practitioner

Fort Pierce Police Department.



May 15, 2019

Project: D.S.E. Holdings Selvitz Road
Subject: Design Review Comments
To: Brandon Creagan
From: Grant Chambers

1. Are improvements to the driveway on Selvitz road proposed? Please identify the existing driveway on the survey and dimension the radius of return to verify the driveway will be functional for the intended uses.
2. A review of the traffic report may be required by an outside consultant at the cost of the applicant.



ST. LUCIE COUNTY
PLANNING & DEVELOPMENT SERVICES
TECHNICAL REVIEW LETTER

TO: Brandon Creagan, LEED Green Associate, Planner

FROM: Kori Benton, Senior Planner

DATE: May 15, 2019

SUBJECT: **Final Plat & Planned Development – D.S.E. Holdings, Inc. – 3896 Selvitz Road**
Technical Review Project#s 19-09000003 & 19-43900003

The St. Lucie County Planning & Development Services Department has completed a review of the distribution (resubmittal) of Technical Review Projects 19-09000003 & 19-43900003.

Background

Application for a Zoning Atlas Map Amendment and Final Plat for the construction and operation of a Concrete Aggregate Recycling Facility located at 3896 Selvitz Road. The property is zoned St. Lucie County IH, Industrial Heavy with a City of Fort Pierce Future Land Use of HI, Heavy Industrial. The property size is approximately 52 acres. The rezoning would seek to change the zoning to City of Fort Pierce PD, Planned Development. The Final Plat would seek to plat the property as this property has been split off more than once from the former parent tract and platting is required per Chapter 18 of the Fort Pierce City Code and Florida State Statute Chapter 177.

Review Comments

Thank you for providing responses to previous comments and notes. The redesigned development plan presents notable improvements in layout and orientation, with adjacent uses.

General Notes:

- The City may encourage to use an alternative to chain link fence with an opaque screen or appropriate conditions applied to maintenance.
- The small modular office facility (permanent) is encouraged to meet any applicable design review guidelines.
- In the absence of the property featuring any roadway/street frontage, the City may consider requesting the applicant detail this waiver/deviation as part of the proposed PD, Planned Development.
- The Traffic Report references TPO counts for 2017, whereas the 2018 counts may be available. Is the TPO standard evaluation for this project, 1-mile (used) or 2-miles? The City of Fort Pierce may consider any vested or committed trips from the LTC Ranch Project to review potential impacts.
- The landscape plan (current or revised) could not be located within the transmitted packet.

Please contact me at 772-462-2518 if you have any questions or would like to discuss the presented comments.