



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 Future Land Use Map Amendment
Misty Creek Preserve – 1919 South 35th Street**

BOARD DATE: December 16, 2019

STAFF REPORT

Property Owner: Cone & Graham Inc.
5101 Cone Road
Tampa, Florida 33610

Applicant/Representative: Brian Nolan, AICP, ASLA (Lucido & Associates)
701 Southeast Ocean Boulevard
Stuart, Florida 34994

Requested Action: Approval to change the Future Land Use of 12 parcels from General Commercial (GC) to Medium Density Residential (RM)

Site Location: 1919 South 35th Street

Parcel IDs: 2417-342-0006-000-9, 2417-343-0001-100-8, 2417-343-0001-000-7
2417-343-0001-150-3, 2417-343-0003-000-1, 2417-343-0002-000-4
2417-343-0004-000-8, 2417-342-0007-000-6, 2417-343-0003-010-4
2417-342-0008-000-3, 2417-342-0008-010-6, 2417-343-0006-000-2

Existing Use: Vacant

Parcel Size: 10.31 acres

Current Future Land Use: General Commercial (GC)

Current Zoning: General Commercial (C-3)

Proposed Future Land Use: Medium Density Residential (RM)

Proposed Zoning: Planned Development (PD)

	North	East	South	West
Surrounding FLU:	GC	RL/RM	GC	GC
Surrounding Zoning:	C-3	R-3	C-3	C-3

Staff Analysis

In accordance with Sections 22-131 and 22-142 of the City Code, the applicant is requesting the review and approval of a Future Land Use Map Amendment from General Commercial (CG) to Medium Density Residential (RM) for 12 parcels of land that are approximately 10.31 acres in size. The applicant is seeking to construct a multi-family development known as Misty Creek Preserve. The development will include 144 multi-family units. The applicant has also submitted a Zoning Atlas Map Amendment application to rezone the 12 properties from General Commercial (C-3) to Planned Development (PD) that will be forwarded to the Planning Board at a future meeting.

Background

The subject site was originally approved in 2007 as a 138-unit multi-family development known as Mission Gardens. Mission Gardens never commenced development and the property remains vacant. Subsequently, in 2011, a staff-initiated amendment to the Comprehensive Plan that placed a percentage cap of 20% residential in the General Commercial (GC) Future Land Use category was made. As a result, the subject proposal now requires a Future Land Use change to residential.

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.
- (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. The Future Land Use amendment promotes and protects the public health, safety and general welfare as it is similar in size and scope as the Mission Gardens. At that time, the City Commission was charged with determining compliance with the three (3) criteria stated above. In so doing, the City Commission approved the project in 2007. The current staff review finds the requested change to the Future Land Use category from GC to RM to be more a more appropriate land use for the subject proposal.

Future Land Use Designation Comparison

The subject site currently has a Future Land Use of General Commercial (GC) for all twelve (12) of the parcels. The GC designation is intended for higher intensity commercial development or horizontal and vertical mixed-use projects. Uses allowed within this designation include intensive and general commercial, retail, service, offices, tourist/entertainment facilities, hotels/motels, parks and recreation, limited multifamily residential, 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 may include either commercial or mixed uses fronting major roadway corridors with higher intensity near major intersections. The limitation to residential uses is that they may only comprise up to 20% of the total floor area of the GC Future Land Use designation.

The subject site is seeking a Future Land Use of Medium Density Residential (RM) for twelve (12) parcels to be consistent with the development that will be proposed on the site. The RM designation is intended for parcels for that are best suited for multifamily residential ranging in density from 6.5 to 12 dwelling units per acre. This category allows for small-lot single family units and multifamily dwellings including duplexes, condominiums, and townhomes. Limited commercial uses intended to serve residential uses and compatible public, quasi-public, and special uses including parks, churches, non-profit clubs, schools, and day-care facilities are also allowed.

It is staff's professional opinion that the appropriate Future Land Use category for a multi-family residential development that contains no commercial uses is Medium Density Residential (RM). As the GC Future Land Use designation limits residential uses to 20% of the total floor area, the applicant would not be able to develop the project as proposed under this commercial land use and a change to an appropriate residential land use is required to develop the project as proposed.

Planning Board

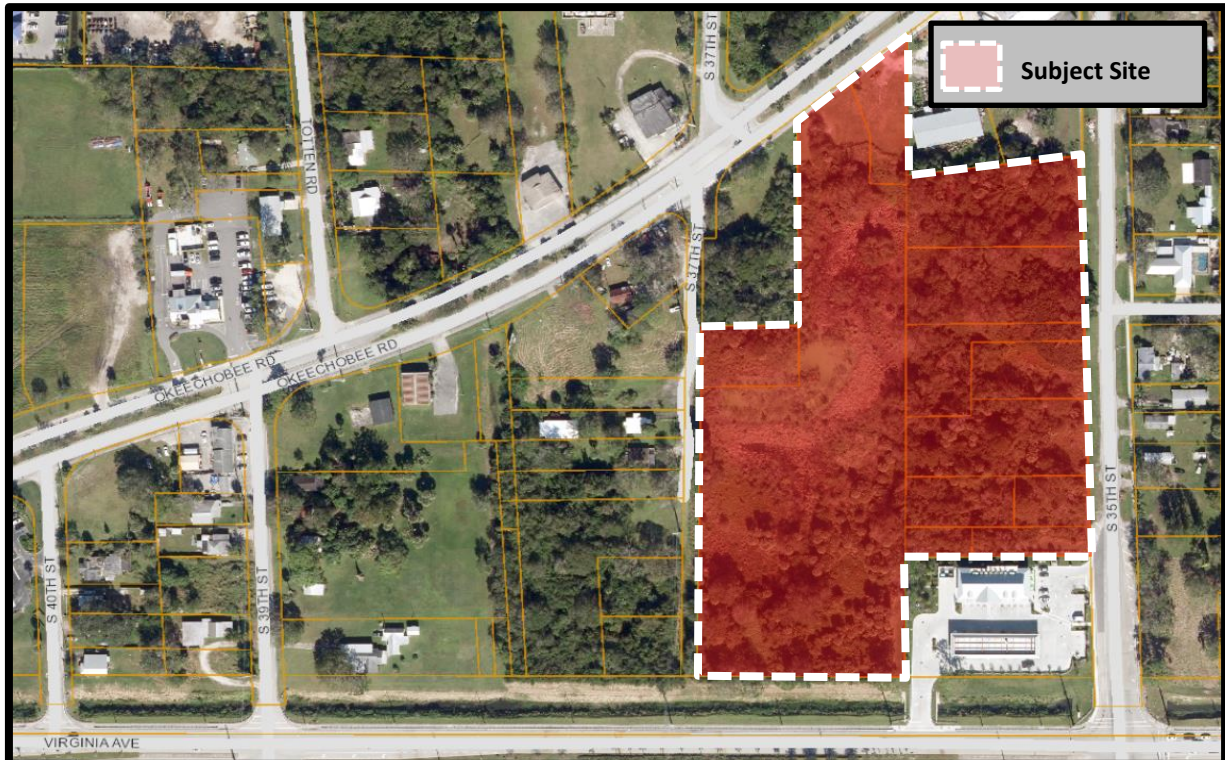
At their meeting on November 12, 2019 the Planning Board acting as the Local Planning Agency voted 4-0 to recommend approval of the Future Land Use Map Amendment as presented.

Technical Review Committee

All affected City Departments have reviewed the proposed 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 have been provided.

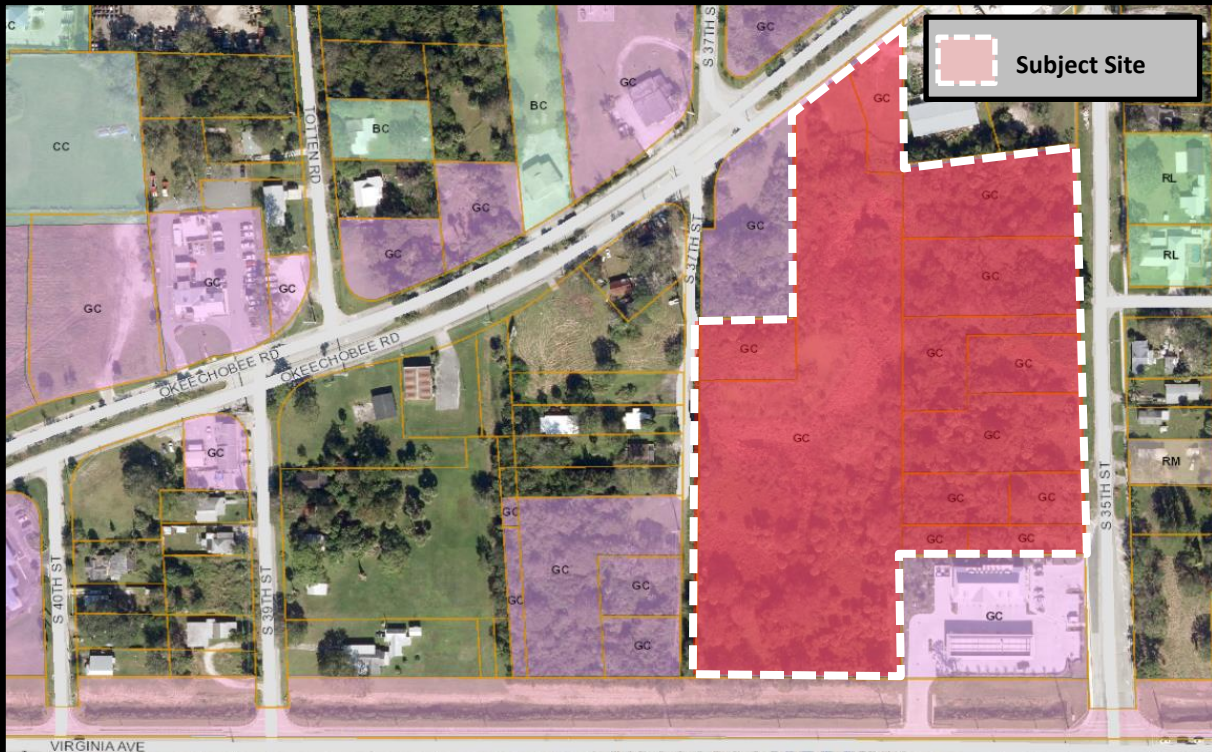
Staff Recommendation


The requested application for Future Land Use Map Amendment meets the criteria specified in Section 22-131 of the City Code, is consistent with the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare; Therefore staff recommends **APPROVAL** of the proposed Future Land Use Map Amendment.



Future Land Use Map Amendment
1919 South 35th Street
Aerial Map





 Subject Site



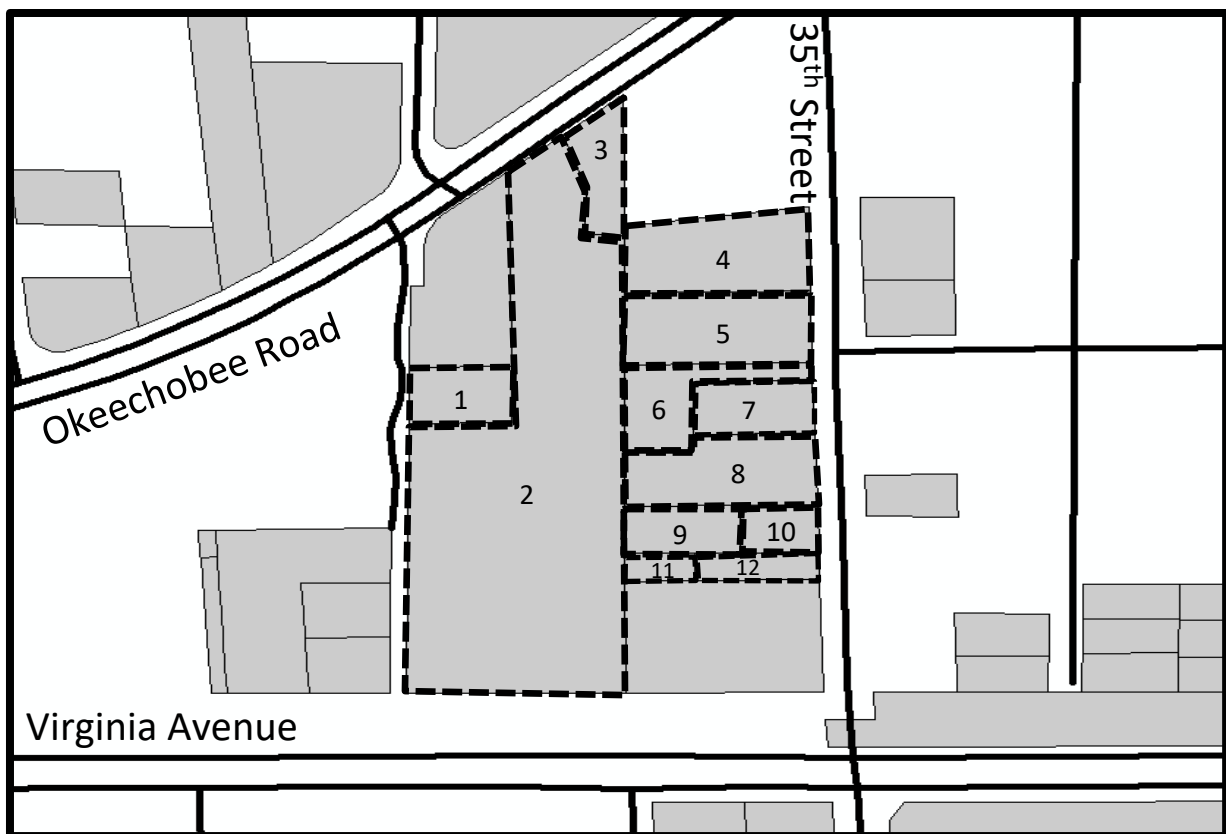
**Future Land Use Map Amendment
1919 South 35th Street
Future Land Use Map**





**Future Land Use Map Amendment
1919 South 35th Street
Zoning Map**





Parcels IDs **1:** 2417-343-0003-010-4 **2:** 2417-342-0006-000-9 **3:** 2417-342-0007-000-6
4: 2417-342-0008-000-3 **5:** 2417-342-0008-010-6 **6:** 2417-343-0001-100-8
7: 2417-343-0001-000-7 **8:** 2417-343-0001-150-3 **9:** 2417-343-0003-000-1
10: 2417-343-0002-000-4 **11:** 2417-343-0004-000-8 **12:** 2417-343-0006-000-2
General Commercial (GC) to Medium Density Residential (RM) 10.31 +/- Acres



August 14, 2019

Brian Nolan, AICP, ASLA
701 SE Ocean Blvd
Stuart, FL 34994

SUBJECT: Misty Creek Preserve – 1919 S. 25th Street
TECHNICAL REVIEW PROJECT: # 19-07000007
REZONING, FLUMA, DEVELOPMENT REVIEW & DESIGN REVIEW

Comments:

1. Provide a map that pinpoints where the transit stop that you are using for the density bonus for is located. You could use a buffer map with a ¼ mile radius that shows that the transit stop is within that buffer.
2. Provide a lighting plan pursuant to City Code 22-60(j)(1)(b).
3. If not already noted provide stop signs at exits to the development.
4. Provide a painted crosswalk across the parking lot near the entrance on Kirby Loop/SW 35th Street from the sidewalk outside of the development to the clubhouse for pedestrian access.
5. Specify the sign dimensions, square footage, & height as this must be a part of the package that is reviewed by the City Commission.
6. Ensure that all refuse collection areas have a pedestrian access door.
7. Before a Certificate of Occupancy is issued, provide a landscape bond for all proposed landscaping pursuant to City Code 22-180.
8. As multiple parcels will be combined for this project a Final Plat will be required before any construction activity can take place on the property.

Please provide a written response to all TRC comments by August 30, 2019. Any department that has recommended disapproval must have their comments satisfied and must give at least a recommendation of approval with conditions before the project can move to the Planning Board stage. Once the project is ready for the Planning Board stage you will need to submit ten (10) full complete hard copies & one (1) complete digital copy of all previous submittal materials with any revisions reflected. The presented review is specific to the proposed facility. Please contact me should you have any questions regarding the project at (772) 467-3742 or by e-mail: bcreagan@city-ftpierce.com.

Sincerely,

Brandon Creagan, LEED Green Associate
Planner



THE SUNRISE CITY
FORT PIERCE
ENGINEERING
DEPARTMENT

Florida

To : Brandon Creagan, Planner

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

**RE : Misty Creek Development Review – 1919 S. 35th Street
TRC No. 19-04000012**

DATE : August 14, 2019

This is to advise you that we have completed the review of the following documents as received by this office on August 2, 2019:

- | | |
|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Development Plan | <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 | <input type="checkbox"/> Do Not Recommend | |
| <input checked="" type="checkbox"/> Approval w/ conditions | <input type="checkbox"/> Building Permit | <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

Please address the following items prior to placement on the city commission agenda:

1. The property is comprised of thirteen (13) separate parcels of land that will require unification prior to issuance of any building permits. The applicant shall provide information as to whether the parcels will be unified by the recordation of a Unity of Title or by formal plat.
2. Please revise the proposed driveway aprons from asphalt to concrete as per the City of Fort Pierce Code of Ordinances Section 17.
3. ADVISORY COMMENT: Being as the property borders S. 35th Street and S. 37th Street, both of which are owned and maintained by St. Lucie County, coordination with SLC regarding required right-of-way improvements and possible right-of-way acquisition is required.
4. The survey reflects a missing segment of sidewalk situated at the south end of the property along S. 35th Street; please incorporate this sidewalk connection into the design plans.
5. The site plan shall indicate the location of all stop signs, stop bars, and other pertinent traffic control devices.
6. The site plan shall identify the width of the S. 35th Street driveway.

JRA/TST/tst

TST



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

Meeting Date: 8.15.19
Property Address: 1919 S. 35th St.
Property Name: Misty Creek Preserve
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: _____

8/9/19



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

Florida

Technical Review Committee meeting

August 15th, 2019

Case # 19-07000007

Multiple applications

Misty Creek Preserve, 1919 South 35th St., FP

Comments:

Temporary approval granted at this time, pending a photometric survey. Please ensure the project's lighting meets or exceeds the standards set forth by city code.

Officer Damian Spotts

Crime Prevention Practitioner

Fort Pierce Police Department.



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

Technical Review Committee meeting

August 15, 2019

TECHNICAL REVIEW PROJECT # 19-04000012

Multiple Applications – Misty Creek Preserve – 1919 S. 35th Street

Comments

FPUA W/WW Engineering: Approved - FPUA currently has an 8 inch water main, and a 10 inch force main on South 35th Street to provide water and sewer services to this location. Developer's engineer will be required to submit 3 sets of utility plan to Water and Wastewater Engineering for review and approval.

FPUA Electric & Gas Engineering: Approved - Electrical Engineering will need 10-ft-wide easements for anywhere that FPUA will be running its electric lines and transformers.



Our mission is to provide our customers with economical, reliable, and friendly service in a continuous effort to enhance the quality of life in our community.

www.fpua.com



August 22, 2019: Revised 11/26/19

Project: Misty Creek Preserve
Subject: Site Plan Comments = Final comments
To: Brandon Creagan
From: David Hays

1. A review of the traffic study by an outside consultant is underway and will be complete promptly with respect to applicant's response. The fee for this review shall be reimbursed by the applicant.
2. Current traffic conditions and access to the school shall be provided in the traffic report.
3. S 35th Street is identified on the County's Right-of-Way Protection Plan as a future 80 FT Right-of-Way. A dedication of one half of the remaining required Right-of-Way (preliminary indication of five feet) dedication will be required. *The Survey does not clearly identify the existing and the site plan indicates dedication "varies". Please provide existing right-of-way widths and proposed dedication widths consistent with meeting the County's Protection Plan as identified. The dedication should be a condition and the specific dimensions may be reviewed upon permit submittal. The original project on this site presented to the City, known as Mission Gardens, indicated the additional 20' of ROW dedication for 37th Street; 30' existing, 70' minimum, 20' from eastern side for ½ of 40' deficiency. See below.*



It does not appear the 20' dedication was performed. The existing site plan does not dimension the western setbacks or show the 20'. Please demonstrate the need for dedication of the 20'.

4. The sidewalks along S 35th street are in substandard condition and will be required to be replaced as conditioned with the right-of-way permit. *Response addresses the item. The Right-of-way permit plan set shall show reconstruction. City and County policy may be to construct sidewalks along 37th Street frontage. Please address.*
5. The County has concerns with the traffic movements at the driveway on S 35th Street. Turn lanes may be required. *To be determined.*
6. Subsequent to TRC approval, the applicant may submit the required documents to Grant Chambers, P.E. in the Engineering Division. Documents include a driveway permit application, a Right-of-Way permit application, two sets of plans, and other appropriate information. In accordance with the permit and Land Development Regulations, the applicant shall retain the EOR for the site inspections and final certification.

7. A Road Improvement Agreement may be required for any permanent improvements proposed within County Right-of-Way.



August 14, 2019

Project: Misty Creek Preserve
Subject: Site Plan Comments
To: Brandon Creagan
From: David Hays

1. A review of the traffic study by an outside consultant may be required at the cost of the applicant.
2. S 35th Street is identified on the County's Right-of-Way Protection Plan as a future 80 FT Right-of-Way. A dedication of one half of the remaining required Right-of-Way dedication will be required.
3. The sidewalks along S 35th street are in substandard condition and will be required to be replaced.
4. The County has concerns with the traffic movements at the driveway on S 35th Street. Turn lanes may be required.
5. A Site Development Permit modification is required prior to performing site improvement activities. Subsequent to TRC approval, the applicant may submit the required documents to Grant Chambers, P.E. in the Engineering Division. Documents include a driveway permit application, a Right-of-Way permit application, two sets of plans, and other appropriate information. In accordance with the permit and Land Development Regulations, the applicant shall retain the EOR for the site inspections and final certification.
6. A Road Improvement Agreement may be required for any permanent improvements proposed within the Right-of-Way.



August 22, 2019

Project: Misty Creek Preserve
Subject: Site Plan Comments = Final comments
To: Brandon Creagan
From: David Hays

1. A review of the traffic study by an outside consultant may be required. The fee for this review shall be reimbursed by the applicant.
2. Current traffic conditions and access to the school shall be provided in the traffic report.
3. S 35th Street is identified on the County's Right-of-Way Protection Plan as a future 80 FT Right-of-Way. A dedication of one half of the remaining required Right-of-Way (preliminary indication of five feet) dedication will be required.
4. The sidewalks along S 35th street are in substandard condition and will be required to be replaced as conditioned with the right-of-way permit.
5. The County has concerns with the traffic movements at the driveway on S 35th Street. Turn lanes may be required.
6. Subsequent to TRC approval, the applicant may submit the required documents to Grant Chambers, P.E. in the Engineering Division. Documents include a driveway permit application, a Right-of-Way permit application, two sets of plans, and other appropriate information. In accordance with the permit and Land Development Regulations, the applicant shall retain the EOR for the site inspections and final certification.
7. A Road Improvement Agreement may be required for any permanent improvements proposed within County Right-of-Way.



PUBLIC WORKS
ENGINEERING DIVISION
DEVELOPMENT REVIEW
COMMITTEE

August 13, 2019

Project: Misty Creek Preserve
Subject: SURVEY REVIEW
To: Brandon Creagan
From: Rod Reed, PLS
SLC-Engineering Division

All comments are based on the current Standards of Practice, established by the Board of Professional Surveyors and Mappers, per Chapter 5J-17.050 thru 5J-17.052, Florida Administrative Code, pursuant to current Section 472.027, Florida Statutes.

SURVEY:

- 1) Please add reference Benchmark to the surveyor's notes.
- 2) Please add accuracy statement based on expected use per Ch. 5J-17.051 (2) (a), (b).
- 3) Please use leaders to indicate R/W lines along Virginia Ave.
- 4) Please add a note on sheet 1 explaining whether or not corners were set when they were not in agreement with your calculated locations.

Please provide a written response to all comments

Rod Reed, County Surveyor
St. Lucie County, Fl.
2300 Virginia Avenue
Ft. Pierce, Fl. 34982-5652
www.stlucieco.org
Ph. (772) 462-1721
E-mail reedr@stlucieco.org

ST. LUCIE COUNTY FIRE DISTRICT
FIRE PREVENTION BUREAU
Office of the Fire Marshal



Telephone: (772) 621-3322
Fax: (772) 621-3604

BUREAU OF FIRE PREVENTION

SITE PLAN REVIEW

TO: Site Plan Applicant

SITE PLAN: Misty Creek Preserve

REVIEW DATE: August 15, 2019

PLANNER: BRANDON CREAGAN

REVIEWED BY: Captain Paul Langel, Lt. Wayne Boyer

Site Plan Approved: _____

Site Plan Approved with conditions: X

Site Plan Approval withheld pending written acknowledgement of conditions: _____

Site Plan Rejected: _____

The Following Revisions Are Necessary:

1. Please submit a completed application for Development/Site Plan Review (St. Lucie County Fire District Development & Site Plan Review Application). This form is available on-line at <http://www.slcfcd.com/permits.htm>
2. Fire District review fees are due at the time of submittal. An abbreviated fee schedule is included on the application form.
3. Please provide an electronic copy of the Site Plan (pdf format)
4. A separate review and permit is required for Underground Fire Mains connected to standpipes or sprinkler systems.

"Our Family Serving Yours"

5160 N.W. Milner Drive, Port St. Lucie, Florida 34983-3392

Telephone: (772) 621-3400 Fax: (772) 621-3500

www.slcfcd.com



5. Fire hydrants (shall be) are provided for buildings other than detached one-and-two-family dwellings IAW both of the following 1) The maximum distance to a fire hydrant from the closest point in the building shall not exceed 400 feet. 2) The maximum distance between fire hydrants shall not exceed 500 feet. NFPA 1:18.5.3. Please provide fire flow calculations for hydrants.
6. An approved water supply capable of supplying the required fire flow for fire protection (shall be) is identified to all premises upon which facilities, buildings, or portions of buildings which are to be constructed or moved into the jurisdiction. The approved water supply shall be in accordance with NFPA 1:18.4. See "Needed NFPA Fire Flow Calculator Spreadsheet".
7. Security gates must either be manned 24 hour/day or provide an access control key switch on the control panel to allow for Fire Department entry in an emergency. Security gates must maintain a clear width of 12 feet when open and provide a means to open the gates manually upon loss of power.
8. The distance allowed between the fire department connection and a fire hydrant shall be no more than one hundred fifty (150) feet as a vehicle travels.
9. Fire department connections shall be located on the street side of buildings and shall be located and arranged so that hose lines can be readily attached to the inlets without interference from any nearby objects, including buildings, fences, landscaping, or other fire department connections. The locations of connections shall be based upon the access requirements of the fire department.