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**TO:** Members of the City of Fort Pierce Planning Board

**FROM:** Jennifer Hofmeister, AICP, LCAM, Planning Director *JAH*

**RE:** **Application for Future Land Use Map Amendment**  
**Application for Zoning Atlas Map Amendment**  
**Fort Pierce Redevelopment Agency**

**BOARD DATE:** February 11, 2020

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**STAFF REPORT**

**Property Owner** Fort Pierce Redevelopment Agency  
100 North US Highway 1  
Fort Pierce, FL 34950

**Representative:** W. Lee Dobbins, Esq.  
Dean, Mead, Minton & Zwemer  
1903 S. 25<sup>th</sup> Street, Suite 200  
Fort Pierce, FL 34947

**Requested Action:** Approval for a Future Land Use Map Amendment from Industrial (I) to  
Central Business District (CBD)

Approval for a Zoning Atlas Amendment from Light Industrial (I-1) to  
Planned Development (PD)

**Site Location:** 322 North 2<sup>nd</sup> Street

**Parcel IDs:** 2410-503-0041-020-4  
2410-503-0043-000-2  
2410-503-0012-010-9  
2410-503-0013-000-3  
2410-503-0019-010-8  
2410-503-0019-000-5  
2410-503-0020-000-5  
2410-503-0030-000-8  
2410-503-0034-000-6

**Existing Use:** Vacant

**Parcel Size:** 7.38 +/- Acres

**Current Future Land Use:** Industrial (I)  
**Current Zoning:** Light Industrial (I-1)  
**Proposed Future Land Use:** Central Business District (CBD)  
**Proposed Zoning:** Planned Development (PD)

	North	East	South	West
<b>Surrounding FLU:</b>	Residential High (RH) and I-1	CBD	CBD	I and General Commercial (GC)
<b>Surrounding Zoning:</b>	Edgartown Settlement (ES)	Planned Unit Redevelopment (PUR) and C-4	PUR and C-4	General Commercial (C-3), I-1, and C-4

**Staff Analysis**

**Background**

On November 14, 2018, the City of Fort Pierce and the Fort Pierce Redevelopment Agency issued a Request for Qualifications (RFQ No. 2019-003) to interested and qualified developers to submit a Statement of Qualifications for the redevelopment of several parcels generally known as the former H.D. King Plant site located in the heart of the City’s downtown. Home to the Fort Pierce Utilities Authority’s electrical facility since circa 1911, the plant was demolished in 2008 and since that time has undergone years of extensive soil remediation and is ready for redevelopment.

After evaluating the responses submitted in the competitive procurement process in response to RFQ No. 2019-003, the Fort Pierce Redevelopment Agency and Audubon Development, Inc., (Audubon) a Florida corporation entered into a development agreement on December 2, 2019 (see Attachment 1). The proposed development plan, while conceptual in nature, included a hotel, condominiums, restaurants, retail, and various residential unit types for ownership and rental occupancy. Upon execution, it is the intent of the City to convey the subject property to Audubon to develop in accordance with the terms and conditions set forth in the development agreement. Those conditions include a 120-day due diligence period within which to undertake engineering and other tests, borings, studies, investigations, and assessments concerning the subject property, at Audubon’s expense. Additionally, and at no cost or expense to the Audubon Development, the City is responsible for processing a Future Land Use Map Amendment and Rezoning in order to allow for the proposed mixed-use development in accordance with the First Amendment to Agreement (see Attachment 2). The City is also responsible for processing the approval of the abandonment of a portion of the road right-of-way of Avenue B, which is currently under review by staff and is forthcoming. These City obligations were agreed to as a Condition of Closing on the subject property

within 270 days from the effective date of the development agreement. In return, Audubon is required to apply for, and obtain, approval from the City of Fort Pierce for a site plan detailing the specific planned development for the mixed-use project that includes the aforementioned uses, as set forth in the development agreement.

### ***Request***

The subject Future Land Use Map Amendment from Light Industrial (IL) to Central Business District (CBD) will provide for land uses that are consistent with the City's vision for Fort Pierce's downtown while also meeting the requirements of the development agreement for the subject property. The CBD Future Land Use Category, as defined in the Future Land Use Element of the City's Comprehensive Plan, calls for mixed use development that is compact with a development pattern that is oriented to the street, defining the streetscape and civic spaces, and designed at a pedestrian scale. The CBD promotes densities and intensities that are conducive to downtown living. The City's Zoning Map and Land Development Regulations must be consistent with the Future Land Use and accompanying land use category specifications contained in the Future Land Use Element. As the development agreement for the subject site stipulated specific land uses within the proposal to be adopted through a Planned Development master plan, the subject application also includes a rezoning from Light Industrial (I-1) to Planned Development (PD) with the compatible underlying zoning classification of Central Commercial District (C-4).

Concurrent with the subject map amendment, a separate application for a text amendment to the CBD land use category is also being processed that expands upon the residential unit types and commercial uses envisioned for the future of the City's downtown and directly relates to the subject property.

### ***Future Land Use and Zoning Designation Comparison***

The subject property currently has a Future Land Use and Zoning designation that is Industrial. This was an appropriate designation when the site was operating as an electrical power plant. Industrial Land Uses are intended for parcels suitable for industrial development and are utilized to promote the City's position as a major employment center. The uses allowed under this designation include light manufacturing and processing facilities; storage and distribution facilities; warehousing; general and intensive commercial uses; research corporate parks, large business parks and mixed use office parks; office, retail, and service uses that provide support to employees; and compatible public, quasi-public, and special uses.

As the redevelopment of the subject parcels are a vital component to the overall development pattern envisioned for the downtown, it is Staff's determination that the appropriate Future Land Use designation is CBD with a zoning district of PD (for the reasons noted above) and an underlying zoning classification of Central Commercial (C-4). It is staff's intent to bring forward a proposal to change, where feasible and not currently so, all properties within the downtown to CBD

Future Land Use designation with an underlying zoning classification C-4 to provide consistency, compatibility and cohesiveness to the downtown area.

The CBD Land Use designation regulates the density and intensity for development, among other things. This land use also allows for a maximum density of 30 dwelling units per acre and a maximum FAR of 3.0.

Key characteristics of the CBD Future Land Use designation include:

- Compact and intensive development pattern on a pedestrian scale;
- Buildings oriented to the street and define the streetscape and civic spaces;
- Development design that encourages pedestrian-oriented activities with plazas, cafes, bookstores, and restaurants that draw a variety of people;
- Vertical and horizontal integration of residential and non-residential uses;
- Good connection to transit and pedestrian facilities;
- Public parks and open space areas within walking distance of development; Parking that is integrated into street design and buildings or placed in separate structures; and
- Wide sidewalks with appropriate pedestrian amenities.

### ***Standards for Review***

Pursuant to Chapter 163.3187, F.S., a small-scale development amendment may be adopted under the following conditions:

- a) The proposed amendment involves a use of 10 acres or fewer; and
- b) The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small-scale development activity. However, text changes that relate directly to, and are adopted simultaneously with, the small-scale future land use map amendment shall be permissible under this section.

Regarding the requested rezoning, pursuant to Article IX, City Code of Ordinances, a proposed change of district or text may be initiated by the City Commission, the City Planning Board or by petition of one or more of the property owners or affected residents within the area proposed to be changed or affected by a change in the district map or text.

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 and furthers the Goals, Objectives, and Policies of the City's Comprehensive Plan. The Zoning Atlas Map Amendment (i.e. rezoning) promotes and protects the public health, safety, and general welfare as the request as proposed is in character and similar with the surrounding area, land uses and zoning designations.

Further, the subject property is located within the Downtown Business and Entertainment District Overlay that delineates the downtown and defines desirable characteristics of this area that are distinct from the remainder of the City. As such, it is proper planning that the land uses and zoning within the Downtown Business and Entertainment District Overlay be consistent. The purpose of this overlay is to:

- Recognize the unique urban character of the downtown;
- Recognize the unique orientation to the waterfront;
- Recognize its historic urban design typified by its pedestrian-oriented design and its human-scale development in order to build on this unique character by encouraging redevelopment in keeping with these recognized values; and
- Further the downtown's desirability as a place to work, play and live through encouraging a broad variety of urban scale uses.

#### ***Technical Review Committee (TRC)***

All affected City and County Departments have reviewed the proposed Future Land Use Map and Zoning Atlas Map Amendment and there were no comments or objections provided by the TRC.

#### ***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. Therefore, Staff recommends that the Planning Board forward a recommendation of **APPROVAL** to the City Commission to allow for Future Land Use Map Amendment from Industrial (I) to Central Business District (CBD).

#### ***Staff Recommendation Zoning Atlas Map Amendment***

The requested Application for a 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. Therefore, Staff recommends that the Planning Board forward a recommendation of **APPROVAL** to the City Commission to allow for a Zoning Atlas Map Amendment from Light Industrial (I-1) to Planned Development (PD). The adopting Ordinance will reflect the C-4 underlying zoning classification.