



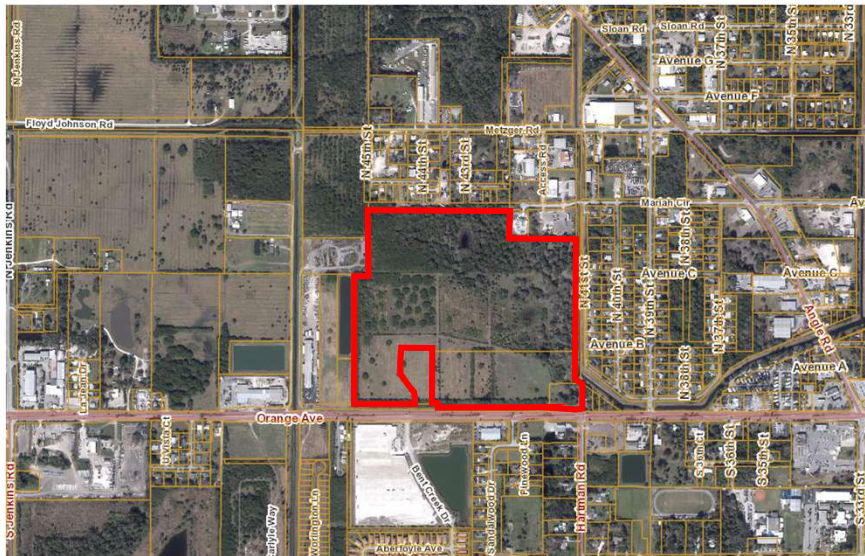
# CITY OF FORT PIERCE CITY COMMISSON

SEPTEMBER 5<sup>th</sup>, 2023

## MILLCREEK FLUMA (4 PARCELS) ADOPTION - SECOND HEARING

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### SITE LOCATION



SITE AREA /- 80.7 Acres

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**SUMMARY**

This item requests the review and adoption of a Future Land Use Map Amendment (23-01ESR), of four (4) parcels change the future land use designations from St. Lucie County designations of Residential High (RH), Residential Medium (RM), and General Commercial (CG) to City designations of Medium Density Residential (RM) (+/- 58.84 Acres) and Mixed-Use Development (MXD) (+/- 21.84 Acres).

**PARCEL ID #(S):**

Comprises the following four (4) parcels, 2407-124-0001-000-3, 2407-134-0001-000-4, 2407-144-0001-000-5, & 2408-233-0001-000-1, totaling approximately 80.7 acres

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**APPLICANT**

REDTAIL DG. Tod Mowery. [todm@redtaildg.com](mailto:todm@redtaildg.com)

**PROPERTY OWNER(S)**

FM Millcreek Holding LLC, Millcreek Orange Avenue LLC, and Orange Avenue Development LLC.

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## BACKGROUND

The Planning Board recommended approval of the FLUMA request at their December 12th, 2022, meeting.

The City Commission approved the application for transmittal at its February 6th, 2023, Regular City Commission meeting.

The application was transmitted for review by the Department of Economic Opportunity (DEO), now titled the Department of Commerce, and other State agencies, as required under the provisions of FL State Statute 163.3184(3), on February 15th, 2023.

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## STATE REVIEW RESPONSES

The Department of Economic Opportunity reviewed the application under the expedited state review process (Amendment No. 23-01ESR). The City were notified that the DEO had no comment on the proposed amendment on March 17th, 2023. Other State Agencies recommended approval of the application, some included 'Technical Assistance' comments.

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## AGENCY COMMENTS

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department’s jurisdiction.

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## TECHNICAL ASSISTANCE COMMENTS

### DEPARTMENT OF TRANSPORTATION (1)

The City’s amendment package for the annexed area does not contain companion amendments to the Transportation and Capital Improvements Elements for the Comprehensive Plan to be internally consistent and reflect the Jenkins Road Area Plan and other relevant long-term transportation facilities and services (funded and unfunded) needed to accommodate the demands generated by the recommended future land uses at the City adopted level of service standards.

The Jenkins Road Area Plan created by St. Lucie County can provide the City a highly connected network of streets to support growth without overburdening important state and regional roadways.

The Department recommends the City amend the Transportation and Capital Improvements Elements prior to adoption of the amendment to incorporate the Jenkins Road Area Plan network and other relevant long-term transportation facilities and services (funded and unfunded).

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## TECHNICAL ASSISTANCE COMMENTS

### DEPARTMENT OF TRANSPORTATION (2)

As a Mixed-use Development land use category, other allowable uses can be utilized in combination with retail. It is unclear if the development will be limited to a minimum of 40 percent of the total floor area for Residential use as part of this amendment, as stated in the traffic study. The currently adopted 2020 Future Land Use Element appears to have omitted the minimum residential use requirement stated in the February 2011 version of the Future Land Use Element. Without the minimum requirement for residential use, the trip generation could be significantly higher and adversely impact the system roadway network. The land use mix in the Mixed-use designation portion of the development could change following the adoption of the amendment, creating previously unreviewed traffic impacts by review agencies.

The applicant has been advised of the comments. The maximum density for the development is controlled by the Future Land Use (FLU) Categories. The FLUMA amendment results in a significant reduction in commercial floorspace. The applicant will be required to demonstrate trip generation and adequate roadway capacity at Final Site Plan.

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## TECHNICAL ASSISTANCE COMMENTS

### DEPARTMENT OF TRANSPORTATION (2)

The Department recommends including confirmation that 40 percent residential use is required for the Mixed use Development land use. Additionally, we recommend the City establish a maximum trip generation threshold for the development as part of the amendment, which considers the impact of traffic on the surrounding roadway network. This should ensure that future changes in the proposed development's land use proportion/ratio in the Mixed-use designation will require reevaluation to assess any unforeseen significant impacts to the transportation system.

The applicant has been advised of the comments. The maximum density for the development is controlled by the Future Land Use (FLU) Categories. The FLUMA amendment results in a significant reduction in commercial floorspace. The applicant will be required to demonstrate trip generation and adequate roadway capacity at Final Site Plan.

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## TECHNICAL ASSISTANCE COMMENTS

### SOUTH FLORIDA WATER MANAGEMENT DISTRICT

The Town is required to revise its Water Supply Facilities Work Plan (Work Plan) within 18 months after approval of the Upper East Coast (UEC) Water Supply Plan Update by the District's Governing Board. The District's Governing Board approved the UEC Water Supply Plan Update on November 10, 2021. Therefore, the Town's Work Plan needs to be updated and adopted by May 2023. The Work Plan must cover at least a 10-year planning period, include updated water demand projections, identify alternative and traditional water supply projects, and describe conservation and reuse activities needed to meet the projected future demands. Planning tools are available on the District's website for your use and District Staff are available to provide technical assistance to update the Work Plan, including reviewing draft Work Plans prior to formal plan amendment submittal. The planning tools are located at this link: <https://www.sfwmd.gov/doing-business-with-us/work-plans>.

The FPUA and the applicant has been advised of the comments. No response has been received from the FPUA.

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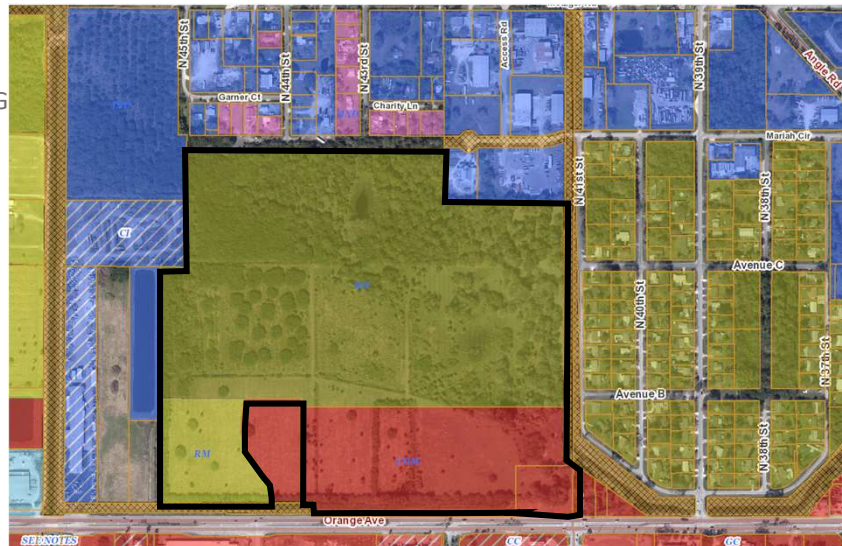


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## EXISTING FUTURE LAND USE - ST.LUCIE COUNTY RH, RM, COM

NORTH: County MXD, IND  
 SOUTH: County COM, City CG  
 EAST: County RS-4, COM  
 WEST: City CI, I, County IL

High Density = 56.66 Ac  
 Medium Density = 6.0 Ac  
 Commercial = 18.04 Ac



SITE AREA +/- 80.7 Acres

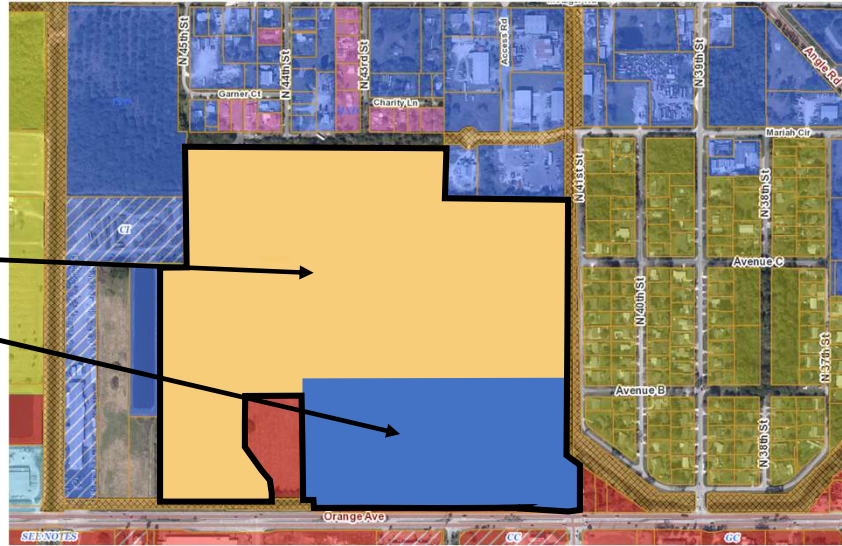
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### PROPOSED FUTURE LAND USE - CITY OF FORT PIERCE

Medium Density = 58.84 Ac  
 Mixed Use = 21.84 Ac



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### FLU COMPARISON – MAXIMUM BUILDOUT POTENTIAL

FUTURE LAND USE COMPARISON					
SITE AREA		ACRES	SQ.FT		
		6	261,360.0		
FLU		RESIDENTIAL	MAX UNITS	FAR	COMMERCIAL
		MAX DENSITY			MAX FLOORSPACE
EXISTING	SLC - RESIDENTIAL MEDIUM (RM)	9	54	0.0	0.0 SQ.FT
PROPOSED	MEDIUM DENSITY RESIDENTIAL (RM)	12	72	0.0	0.0 SQ.FT
		INCREASE / (DECREASE)		18	
				0.0 SQ.FT	

*Note: SLC FAR Estimated based on lot coverage and building height restrictions*

FUTURE LAND USE COMPARISON					
SITE AREA		ACRES	SQ.FT		
		3.8	165,528.0		
FLU		RESIDENTIAL	MAX UNITS	FAR	COMMERCIAL
		MAX DENSITY			MAX FLOORSPACE
EXISTING	SLC - RESIDENTIAL HIGH (RH)	15	57	0.0	0.0 SQ.FT
PROPOSED	MIXED USE DEVELOPMENT (MXD)	15	57	1.5	248,292.0 SQ.FT
		INCREASE / (DECREASE)		0	
				248,292.0 SQ.FT	

*Note: SLC FAR Estimated based on lot coverage and building height restrictions*

FUTURE LAND USE COMPARISON					
SITE AREA		ACRES	SQ.FT		
		18.04	785,822.4		
FLU		RESIDENTIAL	MAX UNITS	FAR	COMMERCIAL
		MAX DENSITY			MAX FLOORSPACE
EXISTING	SLC - RESIDENTIAL MEDIUM (RM)	9	162	0.0	0.0 SQ.FT
PROPOSED	MEDIUM DENSITY RESIDENTIAL (RM)	12	216	0.0	0.0 SQ.FT
		INCREASE / (DECREASE)		54	
				0.0 SQ.FT	

*Note: SLC FAR Estimated based on lot coverage and building height restrictions*

FUTURE LAND USE COMPARISON					
SITE AREA		ACRES	SQ.FT		
		52.86	2,302,581.6		
FLU		RESIDENTIAL	MAX UNITS	FAR	COMMERCIAL
		MAX DENSITY			MAX FLOORSPACE
EXISTING	SLC - COMMERCIAL (COM)	0	0	2.5	5,756,454.0 SQ.FT
PROPOSED	MIXED USE DEVELOPMENT (MXD)	15	792	1.5	3,453,872.4 SQ.FT
		INCREASE / (DECREASE)		792	
				(2,302,581.6) SQ.FT	

*Note: SLC FAR Estimated based on lot coverage and building height restrictions*

RESIDENTIAL: + 864 units

COMMERCIAL: - 2,054,289 sq.ft

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## ANALYSIS OF SPRAWL – FL Statutes 163.3177

- (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses. - **NO**
- (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development. - **NO**
- (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments. - **NO**
- (IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems. - **NO**
- (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils. - **NO**
- (VI) Fails to maximize use of existing public facilities and services. - **NO**
- (VII) Fails to maximize use of future public facilities and services. - **NO**
- (VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government. - **NO**
- (IX) Fails to provide a clear separation between rural and urban uses. - **NO**
- (X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities. - **NO**
- (XI) Fails to encourage a functional mix of uses. - **NO**
- (XII) Results in poor accessibility among linked or related land uses. - **NO**
- (XIII) Results in the loss of significant amounts of functional open space. - **NO**

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## ANALYSIS OF SPRAWL – FL Statutes 163.3177

b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban **sprawl** if it incorporates a development pattern or urban form that achieves four or more of the following:

- (I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems. - **YES**
- (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services. - **YES**
- (III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available. - **YES**
- (IV) Promotes conservation of water and energy. - **YES**
- (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils. *N/A*
- (VI) Preserves open space and natural lands and provides for public open space and recreation needs. *N/A*
- (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area. - **YES**
- (VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164. - **YES**

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## DATA & ANALYSIS

### Additional Information

The properties/parcels were annexed into the City of Fort Pierce by two separate ordinances, with final action being taken February 6, 2023:

Ordinance 23-005 Millcreek Annexation 1 parcel (61.76 acres).

Ordinance 23-007 Millcreek Annexation 3 parcels (18.92 acres).

The development of the property will be subject to a Planned Development zoning and related conditions of development. This will require an Environmental Impact Report for the entire property to be reviewed/approved against appropriate Policies within the City’s Comprehensive Plan, together with pertinent zoning requirements. The soil analysis (Anderson Andre Consulting Engineers) covers the property and is considered to be sufficient data to allow a determination of the site’s suitability for development activities. Staff also consulted the Web Soil Survey - Home (usda.gov) mapping resource and the National Wetlands Inventory (usgs.gov) .

Staff capacity analysis was based on the entire site, which was reviewed through the Technical Review Committee, responses attached.

The FLU designation acreage is reduced due to the applicant agreeing to donate a large section of ROW to St. Lucie County.

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## DATA & ANALYSIS

### Additional Information

The breakdown of the Existing County FLU is as follows:

Residential High Density (RH) = +/- 56.66 Acres.

Residential Medium Density (RM) = +/- 6.0 Acres.

Commercial (COM) = +/- 18.04 Acres.

The breakdown of allocation of Proposed City FLU is as follows:

County (RH) to City Mixed Use Development (MXD) = +/- 3.8 Acres.

County (COM) to City Mixed Use Development (MXD) = +/- 18.04 Acres.

County (RM) to City Medium Density Residential (RM) = +/- 6.0 Acres.

County (RH) to City Medium Density Residential (RM) = +/- 52.86 Acres.

Resultant City FLU designation:

Mixed Use Development (MXD) = +/- 21.84 Acres.

Medium Density Residential (RM) = +/- 58.84 Acres.

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## TRAFFIC

<b>G. Transportation Analysis:</b>		
Most recent ITE Code for use; HCM Roadway Capacity		
	<b>AADT</b>	<b>AM/PM Peak Hour Trips</b>
<b>Demand Analysis</b>	Maximum	Maximum
<b>Current Zoning</b>	28,689	651/2,636
<b>Proposed Zoning</b>	26,710	639/2,439
<b>Change in Demand</b>	Trips -1,979	Trips -12/-197
<b>Impact to Capacity</b>	None	

AADT: - 1,979

AM PEAK: - 12

PM PEAK: -197

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### RECOMMENDATION

Staff recommends that the City Commission ADOPT the proposed FLUMA and authorize the Planning Director to notify the Department of Commerce of the action.

### ALTERNATIVE RECOMMENDATION

1. Adopt with changes.
- or
2. Not Adopt.

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