



# CITY OF CRYSTAL RIVER CITY COUNCIL

## STAFF REPORT

Planning and Development Services Department

<b>MEETING DATE:</b>	September 27, 2021 (First Reading), October 11, 2021 (Second Final Reading)	
<b>APPLICATION NO. PZ21-0087 Small-Scale Comprehensive Plan Amendment and PZ21-0088 Zoning Map Amendment</b>		
<b>SUBJECT PROPERTY:</b>	Section 27, Township 18S, Range 17E; specifically, Parcel 43240 (AK# 3464182), which address is 1209 SE US Highway 19, Crystal River. A complete legal description of the property is on file with the Planning & Development Services Department.	
<b>PROPERTY OWNER:</b>	Crystal Motor Car Company, Inc.	
<b>LAST OCCUPANT:</b>	J&W Automotive Supply	
<b>PROPOSED AMENDMENTS:</b>	<b>COMPREHENSIVE PLAN</b>	Amendment to the Comprehensive Plan's Future Land Use Map (FLUM) <u>from</u> (split future land use) Highway Commercial (HC) and High Density Residential (HDR) <u>to</u> Highway Commercial (HC).
	<b>ZONING MAP</b>	Amendment to the Official Zoning Map <u>from</u> (split zoning) High Intensity Commercial (CH) and High Density Residential (R-3) <u>to</u> High Intensity Commercial (CH).
<b>ACREAGE</b>	Approximately 8.83 acres (entire parcel).	
<b>FLOOD ZONE:</b>	According to the Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone AE with a Base Flood Elevation (BFE) of 11 feet, as found on FIRM Panel Number 12017C0189E. (Effective date: January 15, 2021)	
<b>SURROUNDING AREA:</b>	<b>North</b>	FLUM Designation is HC, Highway Commercial; Zoning Designation is CH, High Intensity Commercial. The property has been developed as retail commercial (Ag Pro).
	<b>South</b>	FLUM Designation is (split land use) HC and HDR; Zoning Designation is CH and R-3. Several properties abut to the south comprising of a retail strip center that fronts US Hwy 19, a church (First Presbyterian Church of Crystal River), and a single-family residence.
	<b>East</b>	FLUM Designation is MDR, Medium Density Residential; Zoning Designation is PUD, Planned Unit Development. The neighboring property lies across the street from SE 8 <sup>th</sup> Avenue and is developed as a mobile home park (Crystal River Village MHP).
	<b>West</b>	FLUM Designation is HC; Zoning Designation is CH. Several properties lie across US Highway 19 and are developed as retail/service-oriented commercial businesses (American RE, bicycle shop, kayak rentals)
<b>Reviewed by:</b>	Jenette Collins, AICP, Urban Planner, Planning and Development Services Department	

**BACKGROUND INFORMATION:** The subject property is approximately 8.83 acres and fronts on US Highway 19, a State maintained principal arterial, and backs up to SE 8<sup>th</sup> Avenue, a local, 50-foot collector road. The applicant requests a Future Land Use amendment and a Re-zoning for the rear portion of the property to remove the split-land use/split zoning.

Existing structures on the property are proposed to be demolished. The rear one-third of the property is naturally wooded and contains a pond. The applicant proposes to develop the site with a retail establishment for private-exclusive auto sales to be stored within buildings that will be constructed central to the property and west of the existing pond. The front of the property will be reserved for future commercial development.

**ANALYSIS:**

**Comprehensive Plan – Future Land Use Map Amendment:** This request is to change the land use category on the easternmost, rear portion of property (approximately 3.6 acres) that abuts SE 8th Ave. This part is currently designated as HDR land use category on the FLUM. The applicant requests to change this part of the property from HDR to HC.

Comprehensive Plan FLUM Category:	From HDR, High Density Residential	To HC, Highway Commercial
Category Description:	Multi-family up to 12-du/acre	retail, vehicle sales and repair, service stations, restaurants, convenience stores, lodging, financial institutions, theaters, and entertainment uses

The first 594 feet lying parallel to, and abutting US Hwy 19 is designated as HC category on the Future Land Use Map (FLUM) of the Comprehensive Plan. The land use category on this part of the property is not changing.

**Zoning Map Amendment:** This request is to rezone the easternmost, rear portion of property (approximately 3.6 acres) that abuts SE 8th Ave. This part of the property is currently designated as R-3 zoning on the Official Zoning Map. The applicant requests to rezone this part of the property from R-3 to CH.

The balance of the property comprising the front 594 feet lying parallel to, and abutting US Hwy 19 is designated CH zoning on the Official Zoning Map. The zoning on this part of the property is not changing.

New development shall be designed to comply with the Crystal River Land Development Code (LDC). The rezoning would result in the following density/intensity changes as per the LDC:

Zoning District:		From R-3, High Density Residential	To CH, High Intensity Commercial
Max Density/Use:		Multi-family up to 12-du/acre	Large-scale business, commercial, light assembly, and institutional uses
Max ISR:		65%	75%
Max FAR:		NA	0.7
Required Buffering (Based on Adjacent Zoning)	NORTH:	"C" (15'-width) adjacent to CH	"A" (10'-width) adjacent to CH
	SOUTH:	"C" (15'-width) adjacent to CH, and "A" (10'-width) adjacent to R-3	"A" (10'-width) adjacent to CH, and "D" (20'-width) adjacent to R-3
	EAST:	"B" (15'-width) adjacent to collector	"C" (15'-width) adjacent to collector
	WEST:	"B" (15'-width) adjacent to arterial	"D" (20'-width) adjacent to arterial

**Compatibility with Adjacent Land Uses:** The proposed FLUM and zoning amendments are found consistent with the HC designation of the property that abuts to the north, which extends from US Hwy 19 to SE 8<sup>th</sup> Avenue and has been developed as retail commercial (Ag Pro tractor sales). The property to the south is designated as HC and HDR just like the subject property. There is a residence located on an abutting parcel to the south that fronts and gains access from SE 8<sup>th</sup> Ave.

The existing location of the pond and increased buffering requirements assist in reducing incompatibility with the adjacent R-3 designated properties to the south.

**Environmental:** The subject property appears to be naturally wooded to the rear as it abuts SE 8<sup>th</sup> Avenue. Staff is unable to determine if the pond is a natural feature or was previously excavated. However, the Soils Survey Map for Citrus County, FL (FL017) prepared by the USDA Natural Resource Conservation Service, defines the pond area as a "pit". The surrounding soil types found on the site are defined as Tavares fine sand, 0 to 5 percent slopes (drainage class: moderately well drained), and Quartzipsammments, 0 to 5 percent slopes (drainage class: well drained). Property elevations vary from 4 to 13 feet above mean sea level.

The LDC provides standards for environmentally sensitive lands protection where applicable. This requires that a professionally prepared biological survey following Florida Fish and Wildlife Conservation Commission standards be submitted to the department at time of development order where wetlands and/or the presence of endangered, threatened, or special of special concern may be present. The applicant has stated that it is his desire to preserve the pond as it presently exists.

**Crystal River Airport:** The very southeast corner (that area lying southeast of the pond) of the subject property is located with the northernmost boundary of the runway protection zone of the Crystal River Airport. At this location, the Federal Aviation Administration (FAA) would prohibit structural heights that exceed 159 vertical feet. The LDC limits building heights to a maximum height of 50 vertical feet (above the designated FIRM BFE) in the CH District. No conflict is evident.

## **INFRASTRUCTURE:**

**Transportation (Ingress/Egress):** Primary access shall be taken from US Highway 19 which is a 6-lane, principal arterial functioning at a level of service "C".

**Water/Sewer:** New development would be required to hook up to central water and sewer services.

**Stormwater Management:** Stormwater management requirements must be approved as established by the SWFWMD for a commercial project. All stormwater treatment systems shall meet the latest SWFWMD and State standards for water quality and peak discharge. This requires that the rate of post-development runoff conditions shall not exceed pre-development runoff conditions.

**CONSISTENCY WITH THE COMPREHENSIVE PLAN:**

The following Goal, Objective and Policies of the Comprehensive Plan are relevant:

**GOAL 2:** Crystal River will be a balanced and well planned community.

**OBJECTIVE 2.1:** Provide for reasonable use of property while protecting, conserving, and maintaining the natural resources and systems identified in this and other elements of this plan.

**POLICIES:**

D) The City will ensure that all proposed development and redevelopment is consistent with the Comprehensive Plan, and the implementing land development regulations.

E) Land development regulations shall continue to be implemented which ensure the compatibility of the proposed use with adjacent uses; regulations shall include provisions designed to mitigate incompatibility, such as setbacks, landscaped buffers, building orientation, scale, parking lot, landscaping, or driveway location.

The proposed amendments are found to be consistent with the Comprehensive Plan. The historic development existing on site is proposed to be demolished, and all new development must adhere to the current Land Development Code standards, as well as FEMA flood regulations. Proper buffering and strict adherence to the LDC standards will assist to reduce incompatibility with the adjacent land uses.

**SUMMARY OF PUBLIC COMMENTS:** No public comment has been received as of the writing of this Staff Report.

**FINDINGS:**

As conveyed in Section 8.02.03 of the Crystal River Zoning Ordinance, the Planning Commission shall have the role and responsibility to hear, consider, and make recommendations to the City Council regarding applications to amend the comprehensive plan and the official zoning map.

The following findings of fact are presented:

1. The request is to amend the Future Land Use Map of the Comprehensive Plan from (split land use) HC and HDR to HC.
2. The request is to amend to Official Zoning Map from (split zoning) CH and R-3 to CH.
3. The project will be served by central water and sewer.
4. New development shall be designed to be compliant with the development standards of the Land Development Code (LDC) and other code standards.

**STAFF RECOMMENDATION:**

Staff has no objection to the requested amendments and finds that they are consistent with the intent of the Comprehensive Plan. The requested land uses/zoning categories are found compatible with the surrounding land uses, and the use of development standards as required by the Land Development Code shall serve to mitigate any negative conflicts where the subject property abuts the R-3 designation to the south.

**SUPPORTING DIAGRAMS ILLUSTRATIONS & TABLES:**

Please see Staff's PowerPoint presentation.

**PLANNING COMMISSION ACTION:**

As conveyed in Subsection (C.) (#4) of 10.03.04 Procedures for action by the Planning Commission, of the LDC, the Planning Commission shall recommend to the City Council that the application(s) be approved, or denied. At its September 2, 2021, public hearing, the Planning Commission took the following action:

1. PZ21-0087 – Future Land Use Map Amendment – Recommended APPROVAL
2. PZ21-0088 – Zoning Amendment – Recommended APPROVAL

**CITY COUNCIL ACTION:**

1. PZ21-0087 – Future Land Use Map Amendment
2. PZ21-0088 – Zoning Amendment

**ATTACHMENTS:**

1. Staff PowerPoint Presentation
2. Notice/Locator Map of subject property
3. Applicant's Submittal with supporting documents