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Title: WAIVER REQUESTS FOR THE WEST ATLANTIC AVENUE PUBLIX TO THE CENTRAL BUSINESS DISTRICT (CBD) LAND DEVELOPMENT REGULATIONS (QUASI-JUDICIAL HEARING)

Sponsors: Planning & Zoning Department

Indexes:

Code sections:

Attachments: 1. CC Order_Waiver Requests for West Atlantic Publix_10-3-17, 2. West Atlantic Publix_LOCATION MAP, 3. W Atlantic Ave Publix_STAFF REPORT_Final_10-3-17[65472], 4. West Atlantic Publix_Waiver Justification, 5. W Atlantic Ave Publix Elev_11x17, 6. W Atlantic Ave Publix SITE PLAN_11x17

Date	Ver.	Action By	Action	Result
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TO: Mayor and Commissioners
FROM: Tim Stillings, Planning, Zoning and Building Director
THROUGH: Neal de Jesus, Interim City Manager
DATE: October 17, 2017

WAIVER REQUESTS FOR THE WEST ATLANTIC AVENUE PUBLIX TO THE CENTRAL BUSINESS DISTRICT (CBD) LAND DEVELOPMENT REGULATIONS (QUASI-JUDICIAL HEARING)

Recommended Action:

Motion to Approve with conditions seven waivers from LDR Section 4.4.13 Central Business District (CBD) for a full service grocery store, the West Atlantic Avenue Publix (2017-215), by adopting the findings of fact and law contained in the staff report, and finding that the requests are consistent with the Comprehensive Plan and meet the criteria set forth in Sections 2.4.7(B)(5) and 4.4.13(K)(8)(b)(2) of the Land Development Regulations for the property on the south side of Atlantic Avenue, between SW 6th Avenue and SW 7th Avenue.

Background:

Most of the subject property is zoned CBD in the West Atlantic Neighborhood Sub-district, with a Central Core (CC) Future Land Use Map (FLUM) Designation. The two southernmost lots are zoned RM (Multiple Family Residential) with a MD (Medium Density) FLUM designation; ultimately these two properties will require a future land use amendment and rezoning to realize the subject plan. The 123,850 sq. ft. sq. ft. (2.84 acres) site is located on the south side of West Atlantic Avenue, between SW 6th Avenue and SW 7th Avenue. West Atlantic Avenue is a Primary Street with Required Retail Frontage, and therefore held to higher standards regarding uses, building position and parking location than streets that are designated as Secondary Streets (SW 6th and 7th Avenues).

The applicant, Pasadena Capital, proposes a full-service grocery store within the West Atlantic Neighborhood Sub-district for the subject property. The proposal is single-story, full-service grocery store, with parking located on the west side of building. The plan includes a “liner” building, 30 feet deep, which provides uses fronting West Atlantic Avenue. The liner provides space for small businesses and ensures active uses with operable doors and windows line the street. It is important to note that SW 7th Avenue currently has a 25-ft. wide public right-of-way. The minimum standard for a local streets is 50 feet, which is typically divided equally between properties on both sides of the road. In this case, the full dedication amount of 25 feet is being provided by this property, which results in a narrower the site and block width. Due to the unique characteristics of a grocery store floorplan, the proposed design requires seven waivers from the CBD Land Redevelopment Regulations. The waivers needed for the development include the following, along with the recommended conditions:

1. A waiver to LDR Section 4.4.13(D)(1)(c), Table 4.4.13(C), which requires a minimum building frontage of 75% along West Atlantic Avenue, whereas 53% is proposed.
2. A waiver to LDR Section 4.4.13(D)(2)(a)(6), which requires a pedestrian/bike passageway for buildings with more than 250 feet of street frontage, whereas 267'-10" of street frontage is proposed on SW 6th Avenue without a pedestrian/bike passageway.
3. A waiver to LDR Section 4.4.13(E)(3), which requires doors providing public access every 75 feet, whereas no doors are proposed along SW 6th Avenue.
4. A waiver to LDR Section 4.4.13(F)(4)(e), which requires blank walls not exceed 50 feet or 20% of the length of the façade, whichever is less, whereas approximately 237 feet of blank wall or 89% is proposed on SW 6th Avenue, with the following condition that the provision of public art in the form of a mural or mosaic on the blank wall facing SW 6th Avenue is be provided.
5. A waiver to LDR Section 4.4.13(F)(5)(a), which requires building walls facing streets or civic open spaces must have transparent windows covering between 20% and 75% of the wall area of each story, whereas approximately 3% is proposed on SW 6th Avenue with the condition that public art in the form of a mural or mosaic reflective of the West Atlantic Neighborhood history is provided on the blank wall facing SW 6th Avenue.
6. A waiver to LDR Section 4.4.13(G), which requires a minimum of 6,870 square feet of civic open space to be open to the sky, whereas 4,171 square feet is proposed to be open to the sky, plus 1,092 square feet is proposed under an open-air entry feature. This results in a deficit of 3,620 square feet. To resolve the shortfall, the condition that the deficit amount of 3,620 square feet be provided on another CRA site in the West Atlantic Neighborhood. (Other options are presented in the staff report.)
7. A waiver to LDR Section 4.4.13(E)(2), which has minimum streetscape standards, including a minimum width of 15 feet and street trees planted in the right-of-way not exceeding 30 feet, whereas a streetscape of approximately 10 feet is proposed, with trees planted on private property within the landscape buffer adjacent to the public right of way on SW 7th Avenue with the following conditions:
 - a. Street trees are provided in the right-of-way at the mid-block crossing; and
 - b. Shade trees are planted uniformly spaced no more than 30 feet on center along SW 7th Avenue within the landscape buffer of parking lot adjacent to the right-of-way.

Over the years, many studies, including The Visions West Atlantic 2003 (1993), The West Atlantic Avenue Redevelopment Plan (1995), The Downtown Master Plan (1995), and The Southwest Area Neighborhood Redevelopment Plan (2003), identify the need for commercial businesses serving the daily needs of the residents in this area, specifically requesting a grocery store/supermarket. A staff report is included with this memorandum providing the analysis of the criteria set forth in Sections 2.4.7(B)(5) and 4.4.13(K)(8)(b)(2) of the Land Development Regulations, whereby positive findings are made for each of the waiver criteria.

City Attorney Review:

Approved as to form and legal sufficiency.

Finance Department Review:

N/A

Funding Source:

N/A

Timing of Request:

The waivers are required prior to site plan approval.