SUBJECT:
Public Hearing and First Reading of an Ordinance determining Rezone Petition 17-R2 and adopting a new Planned Development document with site specific development standards for property owned by Brixmor Park Shore SC, LLC and Brixmor Park Shore Outparcel, LLC located at 4135-4255 9th Street North.

SUMMARY:
City Council is asked to hold a public hearing and consider an Ordinance on First Reading determining Rezone Petition 17-R2, rezoning approximately 22 acres from PD, Planned Development (named Park Shore Planned Development) to a new PD, Planned Development (to be named Park Shore Planned Development) and adopting a new Planned Development document with site specific development standards for property owned by Brixmor Park Shore SC, LLC and Brixmor Park Shore Outparcel, LLC located at 4135-4255 9th Street North. In that this is a quasi-judicial matter the swearing in of those giving testimony will be required.

BACKGROUND:
Park Shore Plaza has been undergoing renovation since 2015. The facades and parking lot have been redesigned and improved and new tenants have filled vacant spaces. The most recent proposal provides for slight modifications to the facades, the addition of trellises to definition spaces for outdoor dining and the replacement one of the vacant outparcels with a new restaurant. The owners believe there is the potential for a modest addition of retail or restaurant space. To accomplish these goals, the petitioner is applying for a rezone from the Park Shore Planned Development to a new Park Shore Plaza Planned Development.

The Park Shore Planned Development was approved while under the jurisdiction of Collier County. The shopping plaza was constructed in 1973 and the property was annexed by the City of Naples in 1976 by Ordinance 76-442. The plaza consists of approximately 22 acres and includes two restaurant outparcels. The outparcel occupied by McDonalds is under separate ownership and not included in this rezoning request.

The owner obtained Administrative Site Plan and Design Review Board (DRB) approval for major renovations to the façade, site design and layout of the shopping center in 2015 and 2016. The subject property has been renovated and redeveloped, replacing the vacant Perkins restaurant with Felipe’s, the former Kmart with Burlington Coat Factory and adding many new retailers. The parking lot has been restriped and engineered to improve drainage and add landscaping. In October of 2016 City Council approved Resolution 16-13865 approving sign variances for five (5) tenants.
The property owners discussed the replacement of the former Chili’s restaurant with a new restaurant and the possible future addition of another stand-alone commercial building. Staff advised that resolving the Code related parking deficiencies and setback requirements for shopping centers through a public hearing process would be advisable. The petitioners are resolving the issues through a rezoning from PD to PD. Staff agrees that this is an appropriate solution to address the unique circumstances of this project site. Currently the site is regulated by both Highway Commercial zoning standards and the specific standards for shopping centers. Where in conflict, these standards would severely limit the redevelopment of the restaurant outparcels. The petitioner proposes to divide the parcel into two sub-districts, Shopping Center and Highway Commercial, each with unique development standards related to signage, setbacks, and building heights. The proposed PD would also address lot coverage and parking calculations for the entire subject property. The development standards are similar to the Highway Commercial zoning district and special requirements for shopping centers, but the definition of the separate zones within the PD clarifies how the regulations are applied. Justification for the parking ratios are provided in a parking needs analysis. The ratios proposed are similar to those required in Collier County.

Included in the package for this item is a version of the PD Document that includes changes in strikethrough and underline that have been made since the PAB hearing on this item. These changes were made, with the agreement of the agent for the petitioner, to provide further clarification. The Ordinance includes a clean copy of the PD Document with the changes included.

On April 25, 2017 a total of 283 letters were mailed to all property owners within 500 feet of the subject property. Prior to the Planning Advisory Board meeting, Staff received a few emails requesting more information which was provided.

On May 10, 2017 the Planning Advisory Board (PAB) voted 6-0 to recommend approval of the PD rezone with the two changes to the PD document as recommended by Staff. These changes were as follows:

1. The sub-district diagram – Schedule A - shall include dimensions of the boundaries to further define which areas are included with each sub district.
2. Schedule B of the PD Document will include a more detailed, dimensioned diagram of the location of the proposed monument sign and shall be reviewed by the Streets and Stormwater Department prior to the City Council hearings on this request.
AGENDA ITEM:

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BACKGROUND (cont.):
The petitioner has provided a dimensioned Schedule A that has been incorporated into the PD document and has also provided a more detailed Schedule B which the Streets and Stormwater Department has reviewed and approved.

File Reference: 17-R2
Petitioner: Brixmor Park Shore SC LLC
Agent: John M. Passidomo, Esq., Cheffy Passidomo P.A.
Location: 4135-4255 9th Street North
Zoning: PD Planned Development

RECOMMENDED ACTION:
Hold a public hearing and approve an Ordinance on First Reading relating to Rezone Petition 17-R2, rezoning approximately 22 acres from PD, Planned Development (named Park Shore Planned Development) to a new PD, Planned Development (to be named Park Shore Planned Development) and adopting a new Planned Development document with site specific development standards for property owned by Brixmor Park Shore SC, LLC and Brixmor Park Shore Outparcel, LLC located at 4135-4255 9th Street North, and schedule a Public Hearing and Second Reading for the June 14, 2017 Regular meeting.