



CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

TO: Robert J. Bradshaw, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Kori Benton, Historic Preservation Officer

SUBJECT: Site Plan and Waiver of Distance
Square Grouper Tiki Bar & Restaurant
1918 Seaway Drive

DATE: December 4, 2014

STAFF REPORT

Owner: Stan Oginz LLC
3001 Industrial Ave Three
Fort Pierce FL 34946

Applicant: Jimmy Burg
Square Grouper
1111 Love Street
Jupiter FL 33477

Representative: Dan Sorrow, AICP
Cotleur & Hearing Inc.
1934 Commerce Lane – Suite 1
Jupiter FL 33458

Requested Action: Approval of a Site Plan and Waiver of Distance to construct a Restaurant and Tiki Bar

Location: 1918 Seaway Drive

Parcel ID: 2401-501-0035-000-9

Zoning: C-5, Tourist Commercial

Surrounding Zoning:

North	East	South	West
OS-1	C-5	R-4A & C-5	C-5

Future Land Use: GC, General Commercial

Parcel Size: 1.11 acres

Staff Analysis:

The applicant and representative are requesting Site Plan and Waiver of Distance approvals to construct a restaurant and bar to the north of Seaway Drive and Hernando Street, more specifically 1918 Seaway Drive. The 1.1-acre parcel is currently vacant; however it was a former ground of a portion of the Days Inn hotel.

The property is zoned C-5, Tourist Commercial and has a future land use designation of GC, General Commercial. The C-5 zone is designed to provide suitable locations for tourist facilities and certain tourist related establishments. Furthermore, the site is located within the South Beach Overlay District. The South Beach Overlay District is intended to promote good planning and site design that produces quality development that is functional, an asset to the community and in keeping with the general character of South Hutchinson Island. By way of this overlay district, the city seeks to preserve, protect and enhance the unique barrier island environment through regulation of development and redevelopment of lots within the district.

The Inlet and Inlet Linear Park lies immediately north of the proposed development. The properties to the south are zoned R-4A, *Hutchinson Island Medium Density Residential* and C-5, *Tourist Commercial*, encompassing a duplex and vacant commercial property. The properties to the east and west are zoned C-5, *Tourist Commercial* and remain vacant. Further to the east is the newly revitalized Jetty Park and beach.

Site Plan

The proposed establishment is centered on the waterfront, seeking to provide patrons with panoramic views of the Ft. Pierce Inlet. The development plan encompasses approximately 6,600 sq. ft. of floor area. The principal structure, representing 4,516 sq. ft. of the floor area split between two-stories, includes the kitchen facility, main bar, and four (4) upstairs apartments primarily reserved for the owner and employees. This structure is completed with a 1,300 sq. ft. extension which offers covered seating for patrons. The grounds surrounding the principal structure include a variation of paver hardscape and sandy open space, accented by heavily concentrated coconut palms. A covered stage, oriented towards the northeast, provides support for live entertainment. A 396 sq. ft. sidebar provides a secondary point of sale for food and beverages, and additional seating.

The small bungalow-style employee building provides lavatories, showers and lockers for the employees only. A small ancillary retail space is also incorporated within this structure to allow for sale of soft goods and Square Grouper souvenirs. A small tiki hut is presented to delineate the sole access point for patrons. The compilation of architecture and heavily landscaped seating area provides a unique outdoor experience, expanding upon the success of Jetty Park to the east.

The development area is located within a Coastal High Hazard Area (CHHA), more specifically a Zone VE, indicating the area is subject to high velocity waters including but not limited to hurricane wave wash or tsunamis. Federal Emergency Management Agency (FEMA) requirements mandate that all new construction and substantial improvements in Zone VE be elevated on pilings and columns so that the bottom of the lowest horizontal structural member of the lowest floor is elevated to or above the base flood level. The base flood elevation (BFE) for the building area is 10', while the existing grade is at approximately 6'. This difference requires that the proposed structures be constructed upon pilings, approximately 5' above existing grade. The applicant seeks to supplement fill around the presented structures to provide seamless transition for patrons within the establishment. A retaining wall is

proposed around the affected area to contain the portion of the site to be raised. A pedestrian railing is presented to supplement the proposed retaining wall to surround the open space area. An ADA walkway and staircase are utilized to transition to the parking area at the established grade.

The architectural style of the proposed development is derived from a combination of Old Florida and Key West vernacular. These styles are emphasized through the use of pitched and hipped roof designs, overlaid with a 5-V crimp metal roof system. The elevations are presented with a balance of painted wood slat siding, smooth stucco, and numerous decorative fixtures and accessories to emphasize transitions and fenestration. Broad wood beams and open rafter ceilings define the two open bars, further establishing distinct styles across the premises. The principal structure will reach a peak height of 31 ft. above BFE, with a mean height closer to 24 ft.

The proposed buildings are oriented around the open-air environment created to the rear of the property, emphasizing views of the inlet. This configuration places the parking area in front of the establishment, creating a passive environment towards the roadway. The structures meet established setbacks, and identify the northern property line as the build-to line for design review compliance.

Pedestrian activity is encouraged through a centralized walkway through the center of the lot, and future connectivity to the unimproved parking area to the east that supports Jetty Park and the beach. A shared, two-way, driveway on Seaway Drive defines the primary access to the development. Future connections are planned to integrate cross access to future development of the vacant property to the west, and the city-owned property to the east.

The applicant has provided a Traffic Impact Analysis (TIA) to present the trip generation potential for the proposed restaurant and accessory apartments. The proposed restaurant is expected to result in an increase of 351 net new external daily trips, representing 30 net new AM peak hour trips (17 in, 13 out) and 27 net new PM peak hour trips (17 in, 10 out). The indicated impacts are upon the newly improved AIA circuit completed by FDOT and the City of Fort Pierce, and should not disrupt the current Level of Service C experienced between Binney Drive and South Ocean Drive. The newly implemented bicycle and pedestrian routes should act to offset some of the newly created trips.

The on-site parking plan encompasses 51 automobile, 12 motorcycle, and 6 bicycle parking spaces to provide a variety of transportation options for patrons. The parking areas are to be constructed of a pervious paver system to emulate the design established at Jetty Park. The applicant seeks to further a cohesive design scheme, initiated by Jetty Park, through the use of similar light fixtures, landscape design, and other hardscape improvements. Existing royal palms along the right-of-way will be preserved and supplemented with shrubs. Storm water retention will be managed by the use of the pervious paving system and underground exfiltration to maintain full use of the property.

Waiver of Distance

Section 3-7 of the City Code prohibits the City from granting approval for the sale of alcoholic beverages by retail for consumption on the premises where the establishment is located within 1,600 feet of other licensed establishments, a church, or a school unless a Waiver of Distance is granted.

The applicant is requesting a Beer, Wine and Liquor—Consume on Premises and Package Sales (4COP) license to serve beer, wine, and liquor for consumption on premises in the bar. There are currently five

(5) licensed establishments located within 1,600 feet of the proposed establishment. Therefore, in accordance with Section 3-9 of the City Code, the applicant is requesting a waiver of the minimum required distance of 1,600 feet between the applicant's proposed establishment, and these noted establishments.

As specified by Section 3-11 of the City Code, a waiver of distance shall be granted only if it does not adversely affect community health, safety or general welfare and that the following are considered:

- a. The actual location and distance of the proposed establishment with respect to other places of business licensed to sell intoxicating beverages, whether on or off the premises, as well as churches and schools;

Per the manner of measurement outlined in City Code Section 3-8, there are five (5) licensed establishments located within 1,600 feet of the proposed establishment. Manatee Island Restaurant & Bar is located approximately 900 ft. to the west. The Jetty Lounge, Hurricane Grill, Bluewater Beach Grill, and Inlet Beach Bar & Grill are situated in close proximity to the east.

There are presently no churches or schools located within the established range.

- b. The type and size of the establishment, including any bar floor space and seating capacity, and whether, in view of such type or size, the proposed establishment is likely to create a public nuisance or traffic impediment by drawing crowds or persons milling about outside the building;

The proposed tiki bar and restaurant is presented to encompass approximately 4,800 sq. ft. of commercial floor area, with outdoor seating and entertainment areas. Given the type and size of the proposed establishment, staff finds the capacity for increased vehicle, bicycle, and pedestrian traffic to the destination; however the site layout is designed to minimize the potential of public nuisance or traffic impediment by crowds or persons milling about outside the building.

- c. Whether adequate parking and landscaping for the facility are provided so as to meet the requirements set forth in sections 22-59 through 22-61;

Pursuant to Section 22-60(a)(4) of the City Code, if several uses occupy a single parcel, the total requirements for off-street parking and loading shall be the sum of the uses, calculated separately. Per Section 22-60(d)(2)a. 2. of the City Code, restaurants and bars are required to provide one parking space for each 100 square feet of gross floor area. Furthermore, Section 22-60(d)(1)b. of the City Code requires 1.5 spaces for each dwelling unit. The collective requirement for parking, after application of the small business exemption, is 41 spaces. The applicant has provided twelve (12) motorcycle parking spaces, which reduced the required quantity of spaces to 38. The proposed site plan has the provision for 51 automobile parking spaces, 12 motorcycle spaces, and 6 short term bicycle spaces. The plan further presents a conceptual proposal for a public/private partnership to expand parking, hardscape, and landscape improvements across the abutting property, owned by the Fort Pierce Redevelopment Agency, to the east acting to connect the site with Jetty Park.

Section 3-14(2) of the City Code, requires that off-street parking for the proposed establishment shall be provided with a minimum average of three (3) foot-candles of site lighting. An initial

site lighting plan was included with the application package; however the lighting levels presented in the submitted plan do not meet this requirement due to previous concerns related to the proximity to the beach and potential turtle nesting sites to the east. After discussion with the Planning Board and clearance from the Florida Department of Environmental Protection (FDEP), the applicant plans to amend the lighting plan, prior to building permit application, to meet the minimum average of three (3) foot-candles as required by City Code.

Additionally, the application includes a comprehensive landscape plan that includes a variety of native species. The buffer along the right-of-way is emphasized with retention of established royal palms and the infill of shrubs for screening of the parking area. The parking lot features a combination of trees and plants distributed through landscape islands and strips. The front façade of the complex is accented by various palms, shrubs, and ground cover, while the outdoor seating and entertainment area are intertwined with numerous coconut palms.

- d. Whether the facility is physically separated or well buffered from all adjacent residentially zoned areas;

The facility is bordered by the Inlet and Inlet Linear Park to the north, and abuts commercial property to the east and west. The property to the southwest, across Seaway Drive is designated R-4A, Hutchinson Island Medium Density Residential and holds a duplex structure. The entrance to the facility is located approximately 200 ft. from this residential structure. The extensive landscaping presented, and the orientation of the development plan offer to mitigate noise impacts to the neighboring residential structures.

The applicant and representative have closely monitored the City of Fort Pierce's recent amendment to noise regulations, and are confident in their capacity to ensure compliance based upon their site design and operations plan.

- e. Whether traffic generated by patrons or pickup/delivery vehicles will pass through low or moderate density residentially zoned neighborhoods;

The proposed establishment's main access is from Seaway Drive, a principal arterial road, and should not generate additional traffic in low or moderate density residentially zoned neighborhoods for pickup/delivery vehicles.

- f. Whether, if the facility is located within sixteen hundred (1,600) feet of a church or school, it will generate traffic which may adversely affect the safety of persons attending such church or school.

The proposed establishment is not located in close proximity to any churches or schools.

Technical Review Committee

All affected departments have reviewed the submittals and have approved the proposed Site Plan and Waiver of Distance based on compliance with the requirements of the City Code. The review comments generated by the Technical Review Committee (TRC) are contained within the agenda packet for review by the Commission. These comments have been reviewed and are generally incorporated within the revised submittal enclosed.

Planning Board Recommendation:

The Planning Board, at their November 12th, 2014 meeting, voted unanimously to recommend approval of the Site Plan and Waiver of Distance with the condition that the applicant amend the lighting plan, to meet the minimum average of three (3) foot-candles as required by City Code, prior to building permit issuance.

Property Owner Response Summary:

A total of 37 notifications of the proposed Site Plan and Waiver of Distance were mailed to the owners of the properties located within 500 feet of the subject property. As of December 4, 2014, 1 response has been received; 1 approving of the application and 0 disapproving of the applications. An update will be provided to the City Commission at the meeting.

Staff Recommendation:

The proposed Site Plan and Waiver of Distance meet the requirements of the City Code and are in compliance with the guidance of the City's Comprehensive Plan; therefore Staff recommends that the City Commission approve the requests with the condition that the lighting plan meets the minimum average of three (3) foot-candles as required by City Code, prior to building permit issuance.