



TO: Nicholas Mimms, PE, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Vennis Gilmore, Planning Analyst

RE: **Application for Conditional Use with No New Construction
 Brett Residence
 515 S. Indian River Drive**

DATE: July 24, 2017

STAFF REPORT

Owner(s): Walter & Cheryl Brett
 10380 SW Village Center Drive #310
 Port St. Lucie, FL. 34987

Applicant: Heather Tinney
 2055 S. Kanner Hwy
 Stuart, FL. 34994

Applicant's Request: Approval of a Conditional Use with No New Construction to change the use of two (2) existing buildings from office to single family residential.

Location: 515 S. Indian River Drive

Parcel ID: 2410-810-0001-000-9

Current Zoning: Office Commercial Zone (C-1)

Future Land Use: Offices – Professional and Business Services (OP)

Surrounding Zoning:

North	East	South	West
C-1	River/A-2	C-1	C-1

Site Size: .54 acres

Utilities: FPUA

Staff Analysis:

Request

In accordance with Sections 22-22, and 22-76 of the City Code, the applicant is requesting the review and approval of a Conditional Use with No New Construction to establish a Change of Use; from Office to Single Family Residential. The subject site currently has two (2) office buildings on the property. The applicant is seeking to convert both office buildings into a two bedroom single family residence (Building #2) with two and a half (2 1/2) bathrooms and a four bedroom single family residence (Building #1) with one (1) bathroom. Building #1 has a finished finished/under air area of 2,816 sq. ft. with a gross area of 2,877 sq. ft. Building #2 has a finished/under air area of 1,488 sq. ft. with a gross area of 1,506 sq. ft. with a total of 9,721 gross area sq. ft. The existing buildings have a total gross area of 4,383 sq. ft. The subject property is zoned Office Commercial Zone (C-1) with a future land use of Offices – Professional and Business Services (OP).

The property is located east of S. 2nd Street, just north of Easter Avenue off of Indian River Drive. The subject property is surrounded by single- family and multi-family residences to the south, vacant land to the north and west and the Indian River to the east. The property features a driveway entrance and parking in the rear from S. 2nd Street and a pedestrian sidewalk connection from Indian River Drive..

Zoning & Land Use

The subject site is located within the Office Commercial Zone (C-1) district which is primarily intended for uses involving business and institutional uses which do not involve the direct sale or display of goods, the production of goods or the storage or shipment of bulk or large volume materials. Convenience commercial facilities, restaurants and certain other uses are allowed when appropriate conditions and safeguards indicated in this section are fulfilled. Uses in this district should have good access to arterial or collector streets. This district is sometimes suitable for use as a buffer separating other commercial zones from residential districts. The site has a land use designation of Offices – Professional and Business Services (OP).

The OP designation provides for office and limited commercial developments or horizontal and vertical mixed-use developments. Commercial uses that do not directly sell, store, or display goods, and generate limited auto trips are allowed within this district. Permitted uses allowed within this designation include limited convenience commercial uses, restaurants, and hotels/motels, parks and recreation, along with compatible public, quasi-public, and special uses. Multifamily residences also allowed. This land use designation allows a maximum density of 18 dwelling units per acre and a maximum FAR of 1.0. Residential uses shall comprise up to 20% of the total floor area of the OP future land use designation.

Conditional Use

The purpose of the conditional use process is to allow, when desirable, uses that would not be appropriate generally or without restriction throughout the particular zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would not adversely affect the public health, safety, comfort, good order, appearance, convenience and the general welfare. The use as presented features residential aspects that are generally appropriate for single-family, low-density environments.

The authorization of a Conditional Use with No New Construction to establish a Change of Use; from Office to Single Family Residential at 515 S. Indian River Dr. will provide an opportunity for consistency with current surrounding property uses as the use does not adversely affect the public health, safety, comfort, good order, appearance, convenience and the general welfare of the surrounding residential neighborhood. The Planning Board is encouraged to consider City Code Section 22-22. – Allowed Uses. City Code Section 22-22 *Allowed Uses subsections (c) and (e)* state that the use of single family residential may be permitted as a conditional use if approved in a public hearing by the city commission.

Technical Review Committee

All affected departments have reviewed the proposed Conditional Use with No New Construction with regards requirements of the City Code. Findings from the review by corresponding departments and any associated responses by the applicant are provided for viewing by the City Commission.

Planning Board Recommendation

The Planning Board, at their July 11th, 2017 meeting voted unanimously in favor to recommend approval of the requested Conditional Use.

Staff Recommendation

The requested Conditional Use with No New Construction is consistent with City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare; Staff recommends City Commission **approve** the requested Conditional Use with No New Construction for the proposed single family residential use within Office Commercial Zone (C-1).