



THE SUNRISE CITY

FORT PIERCE
PLANNING DEPARTMENT
Florida



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**
Crownman FL LLC Residence
515 S. Indian River Drive

DATE: October 16, 2017

STAFF REPORT

Owner(s): Crownman FL LLC
10380 SW Village Center Drive #310
Port St. Lucie, FL. 34987

Applicant: Kris Einstein
207 ½ Orange Avenue, Suite K
Fort Pierce, FL. 34950

Applicant's Request: Approval of a Conditional Use with No New Construction for a Bed and Breakfast

Location: 515 S. Indian River Drive

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

Current Zoning: Office Commercial Zone (C-1)

Future Land Use: Central Business District (CBD)

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 allow for a Bed and Breakfast. The applicant is seeking to convert the main building to a Bed and Breakfast with four (4) bedrooms and one bathroom. There is a second building on that property that was originally built for storage and to be ancillary to the office that occupied the main building. The applicant has indicated that structure now contains a living room, dining room, kitchen, two bedrooms and one & half bathrooms. None of these renovations were legally done through a building permit, and as such, there is no authorization for human occupancy within the smaller building.

The subject property is zoned Office Commercial Zone (C-1) with a future land use of Central Business District (CBD).

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. The site currently has seven (7) existing parking spaces that will need to be re-striped. * Motels, hotels, and resort hotels; such as bed and breakfasts are required 1.1 parking spaces for each unit less than 500 square feet and 1.6 spaces for each unit 500 square feet or larger. If there are accessory uses provided therein, additional off-street parking shall be provided for those accessory uses at the rate of 50 per cent of the requirements for such uses as provided in subsections thereof.

- a) Please install one (1) handicap space per City Code Section 22-60 Off-Street Parking and Loading;
- b) Please install a bicycle rack for guests per City Code Section 22-60 Off-Street Parking and Loading;
- c) Please re-stripe the existing seven (7) provided parking spaces to meet City Code required dimensions of at least nine- and one-half (9 ½) feet wide (except required spaces for the handicapped shall be at least twelve (12) feet wide and nineteen (19) feet deep and have a minimum vertical clearance of at least nine (9) feet.
- d) Required off-street parking spaces for the handicapped shall be located near the front entrance of the main building for the use or if the use has no buildings, as close as practical to the center of the area where the principal activity associated with the use takes place. They shall also be located so that the handicapped shall have accessibility to a curb ramp or curb cut to allow direct access to the main building, if there are buildings, and so that the users will not be compelled to wheel behind parked vehicles.
- e) Please provide vertical accessibility and a handicapped accessible route to Indian River Drive.
- f) Off-street Parking for commercial uses are required lighting with a minimum average of two (2) foot-candles; Please provide verification of two (2) foot-candles.

The dock is located within the adjacent parcel to the north; in which the applicant also owns. The owner would be required to do a unity of title of both properties to utilize the aforementioned dock as part of this application. This property recently applied for and received a conditional use approval as a single family residence but has not yet actively sought permits to restore this building into a residential unit.

The subject property is also within the River's Edge District; a City of Fort Pierce Historic District. This designation may require the applicant to go before the Historic Preservation Board for a Certificate of Appropriateness; if exterior renovations are needed for ADA Compliance.

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 Central Business District (CBD).

The CBD designation provides for mixed-use high-rise development and single-use or mixed-use development that includes ground floor office/retail beneath residential apartments and condominiums. The CBD is intended to provide higher density mixed-use development within downtown Fort Pierce. Uses within the CBD shall include residential (condominiums and apartments); office including artist work and sales space; retail including boutiques, cafes, and restaurants; fuel sales; hotels/motels; parks and recreation; governmental facilities; complementary parks and parking facilities. This land use designation allows a maximum density of 30 dwelling units per acre and a maximum FAR of 3.0. Key characteristics of CBD shall include:

- Compact and intensive development pattern on a pedestrian scale;
- Buildings oriented to the street and define the streetscape and civic spaces;
- Development design that encourages pedestrian-oriented activities with plazas, cafes, bookstores, and restaurants that draw a variety of people;
- Vertical and horizontal integration of residential and non-residential uses;
- Good connection to transit and pedestrian facilities;
- Public parks and open space areas within walking distance of development;
- Parking that is integrated into street design and buildings or placed in separate structures; and
- Wide sidewalks with appropriate pedestrian amenities.

Residential uses shall comprise a minimum of 25% of the total floor area of the Central Business District future land use designation. The applicant has not as of yet demonstrated how they will comply with this comprehensive plan requirement.

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, neighborhood commercial, and low-density environments.

The authorization of a Conditional Use with No New Construction for a Bed and Breakfast 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 Bed and Breakfast 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 Planning Board.

Planning Board Recommendation

The Planning Board, at their October 10th, 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 that the Planning Board forward a recommendation to the City Commission for **approval** with the following **conditions**:

- 1) Comply with City Code Section 22-60. Off-street Parking and Loading (c) Design Standards, d) Commercial Uses & (j) Lighting. **Please provide the lighting plan and the parking plan.**
- 2) Demonstrate compliance with Florida regulations for bed and breakfasts. **Identify the meal services being provided and hours of operation.** For example, if the establishment conducts food handling or preparation beyond the scope of prepackaged food products, fresh whole fruits, cereal in individual packages, or bulk milk, juice or coffee, the facility must also meet the minimum requirements for a public food service establishment and be separately licensed for this activity.
- 3) The applicant identifies the maximum occupancy of the building, ensuring compliance with City Code Section 8.5-43. - Required space in dwelling units.
- 4) Registration of the property manager(s) accessible at all times, to resolve complaints or violations of City Code;
- 5) Provide a guide booklets for renters regarding local rules and public service resources to minimize conflicts,, these are available from the Code Enforcement department of the City.
- 6) The applicant files for and obtains a City of Fort Pierce, County, and State Business Tax Licenses within fourteen (14) days of Conditional Use approval.