



TO: Nicholas Mimms, PE, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Kori Benton, Senior Planner

RE: **Application for Conditional Use with no new construction
Slimane Adult Congregate Living Facility (ACLF)
614 N 7th Street**

DATE: October 24, 2017

STAFF REPORT

Owner/Applicant: Hamid Slimane
614 N 7th St
Fort Pierce, FL 34950

Representative: Michael Seal
Architectonic Inc.
806 Delaware Avenue
Fort Pierce FL 34950

Requested Action: Approval of a Conditional Use with no new construction to establish a thirty-three (33) bed Adult Congregate Living Facility (ACLF) for non-transient elderly care.

Location: 614 N 7th Street

Parcel IDs: 2403-712-0005-000-4

Current Zoning: General Commercial (C-3)

Future Land Use: General Commercial (GC)

Surrounding Zoning:

North	East	South	West
C-3	C-3	C-3	R-4

Site Size: .56 acres

Utilities: Located within the FPUA Service Area

Staff Analysis:

Request

In accordance with Sections 22-22, 22-31, 22-76, and 22-87 of the City Code, the applicant is requesting the review and approval of Conditional Use with no new construction to establish a thirty-three (33) bed Adult Congregate Living Facility (ACLF) for non-transient elderly care at 614 N 7th Street. The subject property is .56 acres in size and is located within the General Commercial (C-3) zoning district.

History

The subject commercial complex was completed in 1989, after site plan approval as Slimane Retail Stores & Laundry. The development features a two-story, 13,902 sq. ft. commercial building, with basement, which contained a retail store, laundry, and manager's apartment. The laundromat closed in 2012, whereas a portion of the retail space remains occupied.

Proposed Reuse

The applicant proposes conversion of the existing mixed-use structure into an Assisted Living Facility for non-transient elderly care, or Adult Congregate Living Facility (ACLF) as outlined in Chapter 22 - Zoning.

The proposed ACLF encompasses care for up to thirty-three (33) guests, via seventeen (17) bedrooms, full service kitchen, living, dining and activities areas with river views. Support partitions include a nurses' station and laundry facilities. The basement, or bottom floor, which faces 6th Street is proposed to retain commercial space, and a manager's quarters to support the ACLF.

The site improvement plan provides for twenty-two (22) vehicle parking spaces, of which two are handicap accessible. The parking lot to the west will be refreshed with new striping, signs, and landscaping, whereas the eastern parking area is proposed for retrofit to provide a designated location for the dumpster enclosure, a loading zone, and additional parking.

The renovations would entail overhaul of the top two floors in order to revamp plumbing, electrical, air conditioning, while installing new stairs, an elevator, Fire Alarm and Sprinkler System.

The proposal identifies interior activity space, however the site does not provide any access to recreational amenities, or provide any exterior green space for occupants, therefore the applicant is encouraged to consider safety and access protocols which incorporate the existing balcony or other designated outdoor space for occupants. Additionally, the applicant should prioritize a crosswalk at 6th Street to provide safe pedestrian connectivity from the site to the adjacent McDonald's café and restaurant to the east.

Pursuant to City Code Section 22-87. - Adult congregat living facilities. (3) No building shall be located closer than twenty (20) feet to any street or street right-of-way. The subject complex features a non-original addition which is located within twenty (20) feet of the right-of-way. The presented redevelopment plans present use of this wing for two bedrooms, or occupancy for 3-4 individuals. In order to comply with the guidelines established by City Code Section 22-87, these bedrooms should be eliminated or the floor plan adjusted to ensure the ACLF use does not occupy a portion of the building located within twenty (20) feet of the right-of-way. This provision seeks to minimize disturbances to occupants by noise from adjacent traffic, limited privacy, etc.

Emergency Management

The State of Florida, at the direction of Governor Rick Scott, has mandated the emergency rules for the Florida Agency for Health Care Administration (AHCA) and Florida Department of Elder Affairs in an effort to keep Floridians safe in health care facilities during emergencies. The emergency action requires all existing and new all assisted living facilities (ALFs) and nursing homes to establish an approved emergency management plan to include protocols for the facility and patients which include: 1) The acquisition and installation of a sufficient generator equipped to ensure ambient temperatures will be maintained at 80 degrees or less for a period of a minimum of ninety-six (96) hours in the event of the loss of electrical power, 2) Storage and safe maintenance of sufficient fuel to operate said generator(s) is provided, and 3) A contract, or acceptable arrangement, for services necessary to maintain and test the equipment and its functions to ensure the safe and sufficient operation of the generator system. The proposed facility must demonstrate compliance with these rules.

Compatibility

The Fort Pierce Housing Authority provides housing and assisted living in the former Fort Pierce Memorial Hospital to the west, whereas the surrounding uses to the north, south, and east include a variety of commercial uses ranging from offices to a fast food restaurant. Site improvements presented by the applicant, and recommended facility features presented by staff, support assimilation of this facility along the 7th Street corridor.

Technical Review Committee

All affected Departments have reviewed and conditionally approved the proposed Conditional Use, emphasizing the exterior alterations proposed in the site improvement plan for compliance with City Code, and interior renovations to ensure compliance with Building & Fire code pertaining to the use.

Planning Board

The Planning Board, at their October 10th, 2017 meeting, voted unanimously to recommend approval with the conditions presented by staff.

Property Owner Response Summary:

A total of 34 notifications of the proposal were mailed to the owners of property located within 500 feet of the subject property. To-date, zero responses have been collected. A tally of the garnered responses will be provided to the City Commission at the public hearing.

Staff Recommendation:

The proposed Conditional Use generally meets the requirements of the City Code and is found to be consistent with the City's Comprehensive Plan; therefore Staff recommends **approval** with the following conditions:

- 1) The floor plan is adjusted or the two (2) eastern most bedrooms are eliminated to ensure the ACLF use does not occupy a portion of the building located within twenty (20) feet of the right-of-way as restricted by City Code Section 22-87;
- 2) The site improvements include a safe and efficient sidewalk linkage shall be provided between building entrances and parking areas, and adjacent portions of the development, and adjacent rights-of-way, pursuant to City Code Section 22-62 (b) & (d)(2) . This shall include at least one accessible route in accordance with the Florida Accessibility Code shall connect buildings to parking areas and adjacent rights-of-way;

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- 3) The applicant integrate designated outdoor space for occupants on-site;
 - 4) The applicant permits and completes a crosswalk at the 6th Street side of the establishment to provide safe pedestrian connectivity from the site to the adjacent uses to the east;
 - 5) A signed and sealed survey is provided with any site work permits to complete the improvements proposed; and
 - 6) The applicant establishes a emergency management plan, consistent with Agency for Health Care Administration (AHCA) and Florida Department of Elder Affairs Rule 59AER17-1, to include protocols for the facility and patients which includes the acquisition and installation of a sufficient generator equipped to ensure ambient temperatures will be maintained at 80 degrees or less for a period of a minimum of ninety-six (96) hours in the event of the loss of electrical power, storage and safe maintenance of sufficient fuel to operate said generator(s) is provided, and a contract for services necessary to maintain and test the equipment and its functions to ensure the safe and sufficient operation of the generator system.