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**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**  
**Little Angels Learning Academy**  
**436 N. 7<sup>th</sup> Street**

**DATE:** March 21, 2018

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### STAFF REPORT

**Owner(s):** NuView IRA – Timothy J. O’Connell  
280 S. Ronald Reagan Boulevard, Suite 200  
Longwood, FL. 32750

**Applicant:** Little Angels Learning Academy – Cynthia O’Connell  
420 N. 2<sup>nd</sup> Street  
Fort Pierce, FL. 34950

**Applicant’s Request:** Approval of a Conditional Use with No New Construction for the operation of a Daycare Facility

**Location:** 436 N. 7<sup>th</sup> Street

**Parcel ID:** 2410-603-0028-000-8

**Current Zoning:** General Commercial Zone (C-3)

**Future Land Use:** General Commercial (GC)

**Surrounding Zoning:**

North	East	South	West
C-3	C-3	C-3	C-3

**Site Size:** .38 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 Daycare Facility. The applicant is seeking to operate a Daycare Facility in an existing four (4) unit commercial plaza. The property is zone C-3, General Commercial with a future land use of General Commercial.

The City Commission adopted Ordinance No. L-11 in 2008, amending Section 22-31(c) of the City Code to permit Day Care Centers and Schools other than education service establishments as a conditional use in the C-3, General Commercial, Zoning District.

The property is located at the southeast corner of Avenue D and N. 7<sup>th</sup> Street. The subject property is surrounded by a duplex and single-family residence to the north, commercial businesses to the south, a St. Lucie County service building to the west and a duplex residence to the east. The site currently has eight (8) existing parking spaces that will need to be re-striped. Per City Code Section 22-60 Off-Street Parking and Loading; elementary schools, junior high schools and day-care centers are required 2 parking spaces for each classroom.

The present facility is approximately 3,040 square-feet, consisting of three (3) commercial units. The applicant has submitted a new floor plan that will consist of three (3) connected classrooms, one (1) infant room, three (3) children's restrooms, one (1) employee restroom, one (1) infant changing room, one (1) child drop-off reception area, and a catered food preparation area without a commercial kitchen. Meals for the students and employees are catered. The facility will include a 600 sq. ft. playground area in the rear of the building; based on the Department of Children and Family Services' requirements. The proposed facility will be adequately parked, featuring the addition of short-term bicycle parking for students and faculty. The facility can only be accessed from the development entrance located on N. 7<sup>th</sup> Street. The applicant will be replacing the current 4 foot tall fence in the rear with a 6 foot tall fence for security.

The applicant currently has two (2) daycare facilities and would like to combine both schools at the proposed subject site. Operation of the proposed facility will be from 6:30am to 10:00pm; monday through friday. There will be a total of eight (8) employees with split shifts to accommodate parents with late working hours. The new location will accommodate between 60-70 kids on average. The Occupancy calculation on the architectural documents is for life safety and fixture calculations perscribed by the building code. The building code limit for the structure is 92 people. The 92 occupant figure is required to be used for the construction documents by the building and fire departments. The facility will host 2 month to 5 year olds in the day program and 6 to 12 year olds in the before and after school programs. In the 2 month to 5 year old group; thirty (30) of those students will be provided transportation by the daycare program. In the 6 to 12 year old group; all students will be provided transportation by the daycare program.

The subject property is also within the Avenue D 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 or other exterior improvements.

## ***Zoning & Land Use***

The subject site is located within the General Commercial Zone (C-3) district which is primarily intended to provide for a broad variety of business activities including shoppers' goods stores, convenience goods and service establishments, offices and tourist/entertainment facilities. Many public and semi-public uses are also appropriate. Compared to the C-4 zone, this district is more suitable for uses requiring a high degree of accessibility to vehicular traffic, low intensity uses on large tracts of land, most repair services and small warehousing and wholesaling operations. Although this zone should be located along or near arterial or collector streets, it is not the intent of this district to encourage the extension of strip commercial areas. Instead it should promote concentrations of commercial activities. The site has a land use designation of General Commercial (GC).

The GC designation provides for higher intensity commercial developments or horizontal and vertical mixed-use developments. Uses allowed within this designation include multifamily residential, intensive and general commercial, retail, service, offices, tourist/entertainment facilities, hotels/motels, parks and recreation, along with compatible public, quasi-public, and special uses. This land use designation allows for a maximum density of 15 dwelling units per acre and a maximum FAR of 1.0. Development shall include either commercial or mixed uses fronting major roadway corridors with higher intensity near major intersections. Residential uses may comprise up to 20% of the total floor area of the General Commercial 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 commercial aspects that are generally appropriate for commercial environments.

The authorization of a Conditional Use with No New Construction for a Daycare Facility at 736 N. 7<sup>th</sup> Street 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)* states that the use of Daycare Centers and Childcare Facilities 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 March 13th 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 the City Commission **approve** the request 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 with a minimum average of two (2) footcandles.**
- 2) The applicant integrates landscaping around the perimeter of the recreational area pursuant to City Code Section 22-67 (d)(1).
- 3) The applicant re-stripes the parking spaces to fulfill the required spaces per City Code Section 22 -60. Off-street Parking and Loading -- (d) *Number of required off-street parking spaces.*
- 4) Per City Code Section 22-60. Off-street Parking and Loading – (c)(4) *Access*; all off-street parking and loading facilities shall be so arranged that no automobile shall have to back into any street. **Please consider parking located in the rear of the building or payment in-lieu to the city’s multimodal fund for spaces that are not in accordance.**