



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
Morestant Driving School
1607 Avenue D**

DATE: May 23, 2018

STAFF REPORT

Owner/Applicant: Buteau Morestant
1897 SW Idaho Lane
Port St. Lucie, FL 34953

Applicant's Request: Approval of a Conditional Use with No New Construction for the operation of a Driving School

Location: 1607 Avenue D

Parcel ID: 2409-506-0025-000-5

Current Zoning: Neighborhood Commercial Zone (C-2)

Future Land Use: Neighborhood Commercial (NC)

Surrounding Zoning:

North	East	South	West
C-2	C-2	R-4	C-2

Site Size: .17 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 Driving School. The applicant is seeking to operate a Driving School in an existing building. The property is zoned C-2, Neighborhood Commercial with a future land use of Neighborhood Commercial.

The City Commission adopted Ordinance No. L-11 in 2008, amending Section 22-31(c) of the City Code to permit education service establishments as a conditional use in the C-2, Neighborhood Commercial, Zoning District.

The property is located at the southeast corner of Avenue D and N. 17th Street. The subject property is surrounded by an apartment building to the north, single family residences to the south, vacant property to the west and a single family residence to the east. The site consists of an existing 1,219 sq. ft. single-family residence that the applicant intends to convert to a driving school. The site currently has an unpaved driveway for one vehicle. Per City Code Section 22-60 Off-Street Parking and Loading (4); no off-street parking is required for nonresidential uses in commercial districts unless such uses exceed one thousand two hundred (1,200) square feet of gross floor area, in which case off-street parking must be provided for the nonresidential floor area in excess of one thousand two hundred (1,200) square feet. The applicant has provided one parking space with handicap accessibility.

The existing structure is approximately 1,219 square-feet, as a single family home. The operation of a driving school will require a change of use with the City of Fort Pierce Building Department. The applicant has submitted a new floor plan that will consist of three (3) offices, one (1) lobby, one (1) waiting area, one (1) kitchen, one (1) restroom, and one (1) storage area. The applicant has stated that he intends to have 5-10 students per training session. The age range for students will be 18 years of age and older. Hours of operation will be Monday through Saturday 9am – 5pm.

Zoning & Land Use

The subject site is located within the Neighborhood Commercial Zone (C-2) district which is primarily intended to be a restricted commercial zone which is designed to meet some of the commercial needs of the immediate residential neighborhood. Uses allowed are primarily those which provide convenience goods or frequently used services. Large business operations and extensions of strip commercial areas are not desired. Areas zoned C-2 should be located near the intersections of major streets and generally close to an R-4 zone.

The Neighborhood Commercial designation permits lower intensity commercial developments that are primarily intended to serve surrounding neighborhoods and residential areas. Uses allowed within this designation include limited retail and commercial services such as convenience/grocery stores, beauty salons, day care facilities; offices; and multifamily residential. This land use designation allows a maximum density of 10 dwelling units per acre and a maximum FAR of 0.5. Residential uses may comprise up to 20% of the total floor area of the Neighborhood 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 Driving School at 1607 Avenue D 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 Education Service Establishments 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.

Property Owner Response Summary:

A total of 60 notifications of the proposal were mailed to the owners of property located within 500 feet of the subject property. An update will be provided to the City Commission at the public hearing.

Planning Board Recommendation:

The Planning Board, at their May 8th, 2018 meeting, voted unanimously to recommend **approval** of the request.

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) Please consider the installation of a bicycle rack (two (2) – space minimum) for students/visitors per City Code Section 22-60 Off-Street Parking and Loading.
- 3) Remove the existing driveway skirt that is located next to the eastern property line.

4) The cross access agreement must be approved and recorded prior to issuance of a Certificate of Completion.

5) The plan proposes the utilization of property that is not under the ownership of the applicant. Prior to issuance of a Site Work permit, as issued by the Building Department, a recorded easement will be required.