



**TO:** Nicholas Mimms, P.E., ICMA-CM, City Manager

**THROUGH:** Jennifer Hofmeister, AICP, LCAM, Planning Director

**FROM:** Brandon C. Creagan, MCRP, LEED Green Associate, Planner

**RE:** **Application for Conditional Use – Sunshine Arcade  
 2202 N. US Highway 1**

**BOARD DATE:** December 7, 2020

**STAFF REPORT**

**Property Owner:** Dover-Neal Development Inc.  
 4261 14<sup>th</sup> Street  
 Wyandotte, MI 48192

**Applicant/  
 Representative** Mike Menard, Architectonic Inc.  
 806 Delaware Avenue  
 Fort Pierce, FL 34950

**Applicant’s Request:** Approval of a Conditional Use with No New Construction to operate an Arcade Amusement Center.

**Location(s):** 2202 N. US Highway 1

**Parcel ID:** 1433-440-0009-010-1

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

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

	North	East	South	West
<b>Surrounding FLUM:</b>	GC	I/MC	GC	GC
<b>Surrounding Zoning:</b>	C-3	I-1/C-6	C-3	C-3

**Utilities:** FPUA

## **Staff Analysis:**

### ***Request***

In accordance with Sections 125-187, 125-200, 125-237, and 125-325 of the City Code, the applicant and representative Mike Menard, and the property owner, Dover-Neal Development Inc., are seeking a Conditional Use with No New Construction approval to operate an arcade amusement center at 2202 N. US Highway 1. The property is 2.57 acres, and the building is a multi-tenant building consisting of 47 units. The property has a Future Land Use of General Commercial (GC) and a compatible zoning classification of General Commercial (C-3).

The subject building was constructed in 1984 and is approximately 29,515 square feet. Currently, 35 of the 47 units in the shopping center are vacant. The arcade will occupy four (4) units, thereby reducing the number of vacant bays to 31. The proposed arcade amusement center is anticipated to run at 100% capacity (66 machines), Sunday through Thursday from 8am–12am, Friday and Saturday from 8am – 2am.

The property currently provides 121 parking spaces on site. The parking calculation pursuant to City Code 125-325 (2)(l) is .75 parking spaces per each machine. As such, the parking requirement for the proposed number of machines is 50 parking spaces. As the building only has 12 current occupied units, the required parking is only 31 parking spaces. As such, the property currently has more than adequate parking to accommodate the current tenants and the proposed arcade. The total number of occupied parking spaces would be 81 spaces out of the available 121 spaces.

The applicant has provided a lighting plan in accordance with City Code 125-315 (j)(1)(a) that demonstrates the lighting in the parking lot is a minimum two (2)-foot candles. The property currently has landscaping, and the applicant will be providing a Landscape Plan with the Building Permit that demonstrates the property is within compliance of the City's Landscape Code. Pursuant to City Code 125-325 (2)(i) this must be completed prior to the issuance of a Business Tax Receipt. The applicant will also be required to install sidewalks along any public right-of-way where there are currently no sidewalks pursuant to City Code 125-325 (2)(j). The area that sidewalks will need to be installed is along the eastern boundary of the property that abuts North Old Dixie Highway. This also will need to be completed prior to the issuance of a Business Tax Receipt pursuant to City Code 125-325 (2)(j).

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

The site is located within the C-3 District, which is intended to provide for a broad variety of business activities including shoppers' goods stores, convenience goods and service establishments, offices and tourist/entertainment facilities. The proposed use presents an indoor entertainment facility, restricted to adult occupancy, with further exclusions of alcohol consumption or smoking on the premises. In addition to the standard City regulations that any business must comply with, City Code Section 125-325 is devoted solely to the regulation of the arcade business to ensure the safety, comfort, and general welfare of the business' patrons, as well as neighboring businesses and residents.

***Technical Review Committee***

All affected departments have reviewed the proposed Conditional Use with regards requirements of the City Code. Findings from the review by corresponding departments and the associated responses by the applicant are provided.

***Planning Board***

The Planning Board at their meeting on November 10, 2020 voted 4-2 to recommend approval of the request as presented.


***Public Notification***

20 letters were sent out to property owners within 500 feet of the subject property for the proposed arcade with 66 machines.

***Staff Recommendation***

Staff recommends **Approval** of the Conditional Use with No New Construction with the following two (2) conditions:


1. Submit a Landscape Plan to the Building Department in accordance with City Code 125-325 (2)(i) that demonstrates compliance with the City's Landscape Code 123-37. This shall be completed before the issuance of a Business Tax Receipt in accordance with City Code 125-325 (2)(i).
2. Install a sidewalk along the eastern property boundary that abuts North Old Dixie Highway prior to the issuance of a Business Tax Receipt in accordance with City Code 125-325 (2)(j).

 Subject Site



**Conditional Use  
Sunshine Arcade  
Aerial Map**

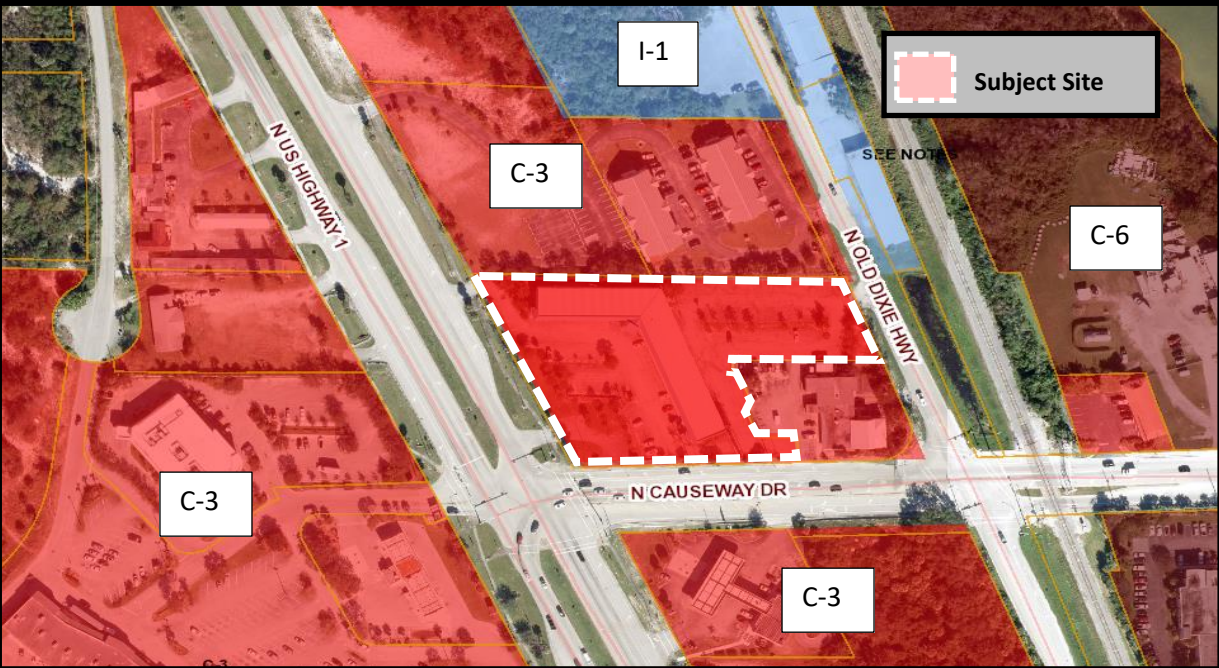


 Subject Site



**Conditional Use  
Sunshine Arcade  
Future Land Use Map**







October 14, 2020

Michael Menard – Architectonic Inc  
806 Delaware Avenue  
Fort Pierce, FL 34950

**Subject: Conditional Use – Sunshine Arcade 2202 N. US Highway 1  
Technical Review Project # 20-04000016**

**Fort Pierce Planning:**

1. Provide a Landscape Plan in accordance with City Code 123-37, signed and sealed by a registered landscape architect. Note that pursuant to City Code 125-325 all site landscaping must comply with the City's Landscape Ordinance prior to the issuance of a business tax receipt.
2. There is a total of three possible options for the operation of the arcade on the Parking Plan provided. It is noted in the narrative that option 3 would be the preferred option. Staff would be in support of the 3<sup>rd</sup> option with a note that it will be the property owner's responsibility to address any parking issues for future tenants if they arise. If the 3<sup>rd</sup> option is acceptable then remove the other two options from the Parking Plan before moving forward to Planning Board.
3. Adjust the floor plan to reflect option 3 of 66 machines if that is the option that is chosen. Currently it shows 80 machines. What is the total square footage of the unit where the Amusement Arcade will operate out of? What will be the hours of operation if you go with option 3 as noted on the Parking Plan?
4. In accordance with City Code 125-325 (2)(j), Sidewalks shall be installed along all public rights-of-way for properties that have arcade uses and shall be installed prior to the issuance of a business tax receipt. No location shall be exempt from sidewalk provisions contained in section 125-317. Sidewalks are not present on the western end of the property and will need to be permitted and installed prior to the issuance of a business tax receipt.

Please provide a written response to all TRC comments and provide an electronic submittal of materials (complete submittal packet). The presented review is specific to the proposed facility. Please contact me should you have any questions regarding the project at (772) 467-3742 or by e-mail: [bcreagan@cityoffortpierce.com](mailto:bcreagan@cityoffortpierce.com).

Sincerely,

Brandon Creagan, LEED Green Associate, Planner



THE SUNRISE CITY  
**FORT PIERCE**  
 ENGINEERING  
 DEPARTMENT

*Florida*

**To : Brandon Creagan, Planner**

**FROM : John R. Andrews, P.E., City Engineer**

**RE : Sunshine Arcade Conditional Use – 2202 N. US 1  
 TRC No. 20-04000016**

RECEIVED

OCT 07 2020

**DATE : October 7, 2020**

CITY OF FORT PIERCE  
 PLANNING & ZONING

This is to advise you that we have completed the review of the following documents as received by this office on October 2, 2020:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Conditional Use Application                           | <input type="checkbox"/> P/D Drawings  |
| <input type="checkbox"/> Test Reports & Related Documents                                 | <input type="checkbox"/> Certificate of Completion                               |
| <input type="checkbox"/> Record Drawings  | <input type="checkbox"/> Permits from applicable Local, State & Federal Agencies |
| <input type="checkbox"/> Clearances from all applicable Local, State and Federal Agencies |  |

Based on our reviews and appropriate site final inspection, we

- |   |   |                              |
|---|---|------------------------------|
| <input checked="" type="checkbox"/> Recommend   | <input type="checkbox"/> Do Not Recommend |                              |
| <input checked="" type="checkbox"/> CU Approval | <input type="checkbox"/> Building Permit  | <input type="checkbox"/> C/O |

Developer, Owner, Engineer, Contractor and other members of the Development Team must be aware, the above recommendation is based only on the construction requirements of the engineering plans and other engineering documentation approved by this department. The Development Team shall be responsible for the compliance with other City department requirements and all approved documents, as well as Local, State and Federal regulations. The development requirements for this project may necessitate additional construction requirements that are not subject to this department's review for approval.

See attached for comments

JRA/TST/tst

Q:\ENGINEERING\Site Development Projects\Addresses\2202 N US HWY 1\CU\Submittal No. 1 - 100220\CU Approval - 100720.docx



**BUILDING DEPARTMENT  
TECHNICAL REVIEW COMMITTEE (TRC)  
COMMENT FORM**

Meeting Date: 10.15.20  
Property Address: Conditional Use - Sunshine Arcade - 2202 North US Highway 1

Please be advised that the project may trigger the requirements indicated below:

- 1. Building Official or his representative has no comment at the time of this meeting, but reserves submission of comments upon completion of the official plan review.
- 2. Pre-construction meeting with the City's Building Department is requested.
- 3. Any construction will need to meet the requirements of the Florida Building Code 6<sup>th</sup> Edition.
- 4. Means of egress is required.
- 5. Means of ingress is required.
- 6. Must meet the following Accessibility requirements:
  - Accessible route
  - Handicapped parking spaces
  - Means of egress
- 7. Change of Use required
  - to include a signed and sealed Life Safety Plan
  - to include a signed and sealed detailed comprehensive building plan.
- 8. Property exists in Special Flood Hazard Area. All Federal and State requirements shall be addressed.
- 9. Flood Development Permit required.
- 10. Building Permit required.
- 11. Signed and sealed construction drawings required.
- 12. Will need to meet the Fire Code.
- 13. Sprinkler system is required.
- 14. Smoke alarm system is required.
- 15. Other

**Additional Comments/Requirements:**

*There are various open permits that require attention.*

Building Official's or Representative's Signature \_\_\_\_\_ Date: *10/13/20*



Fort Pierce Utilities Authority  
Water/Wastewater Engineering  
1701 South 37<sup>th</sup> Street  
Fort Pierce, FL 34947  
772.466.1600 x3473

## Technical Review Committee Meeting October 15, 2020

TECHNICAL REVIEW PROJECT # 20-04000016

Conditional Use – Sunshine Arcade – 2202 N. US Highway 1

### Comments

FPUA W/WW Engineering: Approved

FPUA Electric & Gas Engineering: No comment



Our mission is to provide our customers with economical, reliable, and friendly service in a continuous effort to enhance the quality of life in our community.

[www.fpu.com](http://www.fpu.com)





THE SUNRISE CITY  
**FORT PIERCE**  
POLICE DEPARTMENT  
"In Honor We Serve"

*Florida*

## Technical Review Committee meeting

**October 15th, 2020**

Case # 20-04000016

Planner: Brandon Creagan

Conditional Use with No New Construction.

2202 North U.S-1, Ft. Pierce (Sunshine Arcade)

**Comments:**

No comments at this time.

Officer Damian Spotts

Crime Prevention Practitioner

Fort Pierce Police Department.