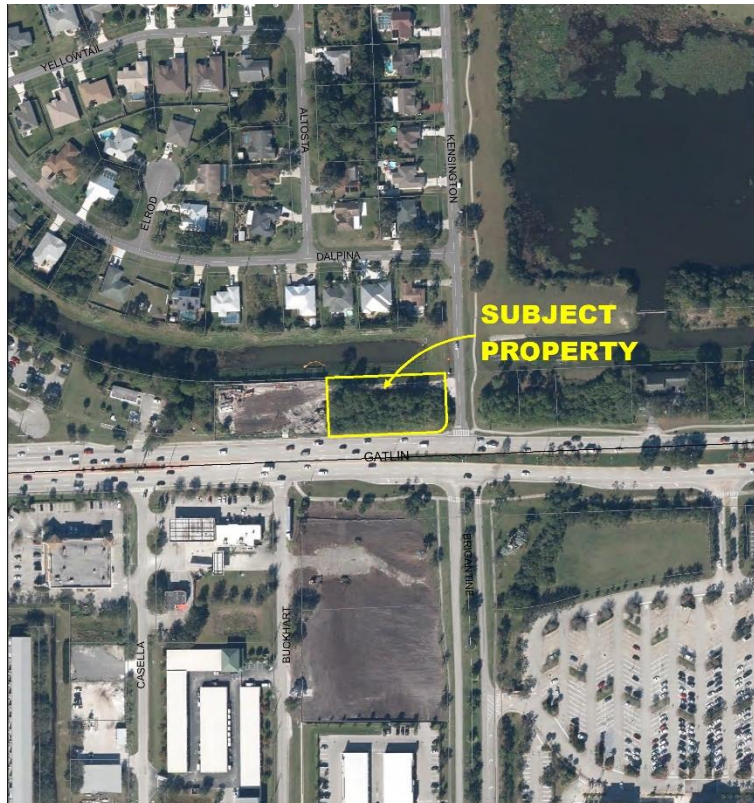




**7 Brew Drive-Thru Coffee
Special Exception Use
P24-043**



Project Aerial Map

SUMMARY

Applicant's Request:	The request is for approval of a Special Exception Use (SEU) to allow a drive-through. Section 158.124(C)(13) of the Zoning Code lists drive-through service as a special exception use within the General Commercial (CG) Zoning District.
Applicant:	Zach Middlebrooks
Agent:	Zach Middlebrooks
Property Owner:	Gatlin Blvd. Ventures, LLC
Location:	Located northeast of the intersection of SW Gatlin Boulevard and SW Kensington Street.
Address:	1907 SW Gatlin Blvd.
Project Planner:	Bianca Lee, Planner II

Project Description

The applicant is requesting a special exception use (SEU) to allow a drive-through restaurant. Section 158.124(C)(13) of the Zoning Code lists drive-through service as a special exception use in the General Commercial (CG) zoning district. The Zoning Code lists a special exception use as a use that may be permitted only following the review and specific approval thereof by the City Council. The proposed special exception use will allow the operation of the site consistent with the applicants intended use and character of a 7 Brew establishment.

Background

A variance application has been submitted (P24-044) for the building size and height. These variances seek relief from the Zoning Code and Citywide Design Standards for commercial buildings.

Public Notice Requirements

Notice of this request for a Special Exception Use was mailed on July 25, 2024, to owners of property within a 750-foot radius of the subject property.

Location and Site Information

Parcel Number:	3420-650-0985-000-4
Property Size:	0.72 acres
Legal Description:	Port St Lucie Section 31, Block 1704, Lots 25, 26, and 27
Future Land Use:	CG (General Commercial)
Existing Zoning:	CG (General Commercial)
Existing Use:	Vacant

Surrounding Uses

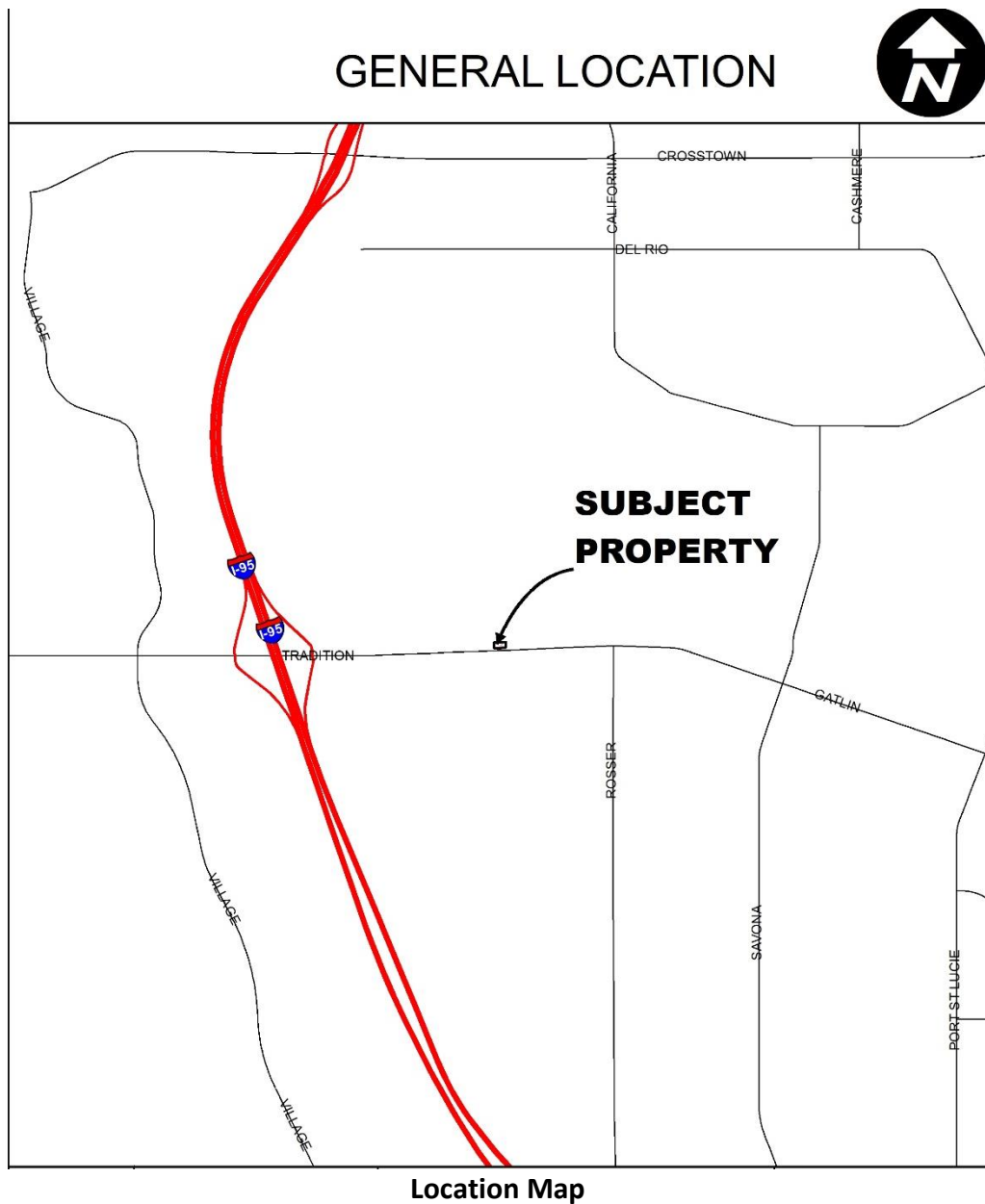
Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	Drainage R/W
South	CS/CH	PUD	Retail/Medical office
East	ROI	RS-2	Vacant
West	CG	CG	Restaurant

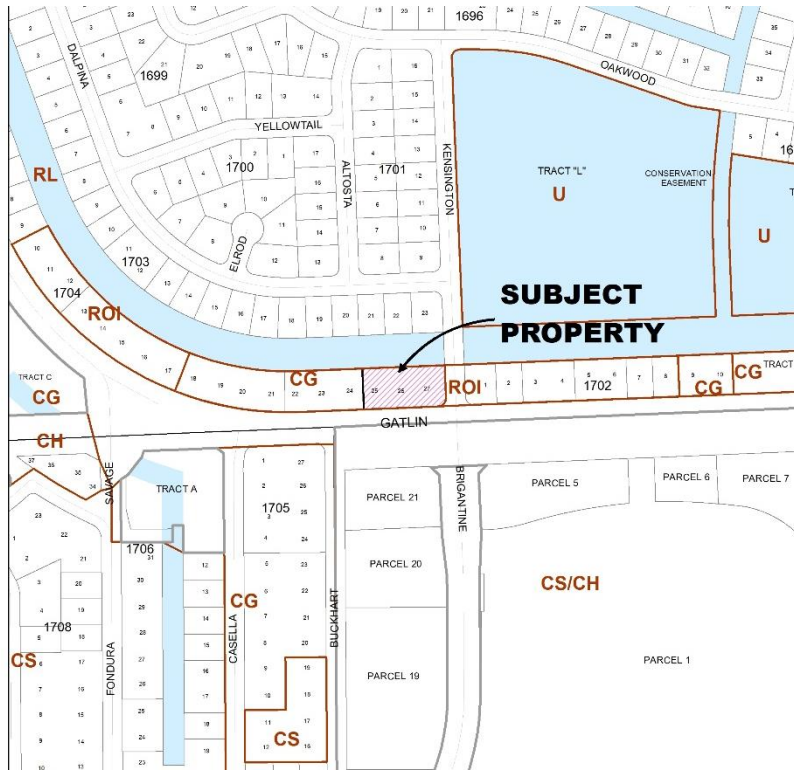
Future Land Use

RL – Low density residential, CS – Service Commercial, CH – Highway Commercial and ROI – Residential, Office, Institutional

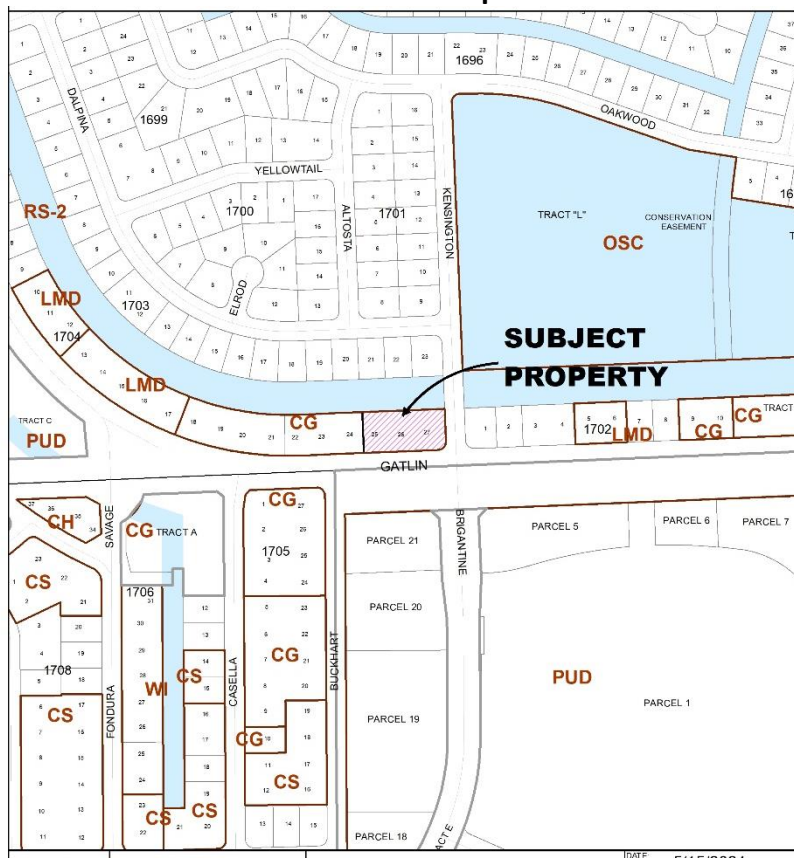
Zoning District

RS-2 – Single-Family Residential, PUD – Planned Unit Development, CG – General Commercial





Land Use Map



Zoning Map

PROJECT ANALYSIS

Special exceptions are uses that would only be allowed under certain conditions and are reviewed to be compatible with the existing neighborhood. Approval of a special exception application shall only be granted by the City Council if it meets the criteria established under Section 158.260 (A) through (L) as noted below. The applicant's response to the criteria is attached. Staff's review is provided below.

Evaluation of Special Exception Criteria (Section 158.260)

(A) Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.

- **Applicant response:** Adequate ingress and egress is proposed to and from the property via Kensington St., the proposed site layout provides drive-thru facilities that do not encroach on pedestrian safety, pedestrian connectivity is provided within the site via concrete sidewalks, traffic flow is intended to not impede the flow of traffic at driveways to and from the main ROW roadway, and proper emergency vehicle circulation has been accounted for in the proposed site layout.
- **Staff findings:** The conceptual site plan demonstrates that the site has adequate ingress and egress. The property is located at the northeast corner of the intersection of SW Gatlin Boulevard and SW Kensington Street and has vehicular access along SW Kensington Street, a public roadway. A sidewalk will be constructed along SW Kensington Street to tie into the existing sidewalk along SW Gatlin Boulevard. There is cross-access to the development to the west identified on the conceptual plan.

(B) Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

- **Applicant response:** The proposed site layout proposes (10) parking spaces, intended for employees of the 7 Brew use. No interior dining is proposed for this use. Off-street parking area is located towards the southeast of the site abutting Kensington St. and Gatlin Blvd. ROW, this location is considered not detrimental to adjoining properties. Further, a wall is proposed as required along the northern boundary and will act as a screen to residential properties to the north across the canal.
- **Staff findings:** Adequate off-street parking is provided for the proposed drive-through use as shown on the conceptual site plan. There will be no indoor dining or patron use. The site is required to have 10 parking spaces at one (1) space per 75 square feet. On-site parking will be used for employee parking only.

(C) Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

- **Applicant response:** The project proposes potable water connection to an existing 2" water line located under the existing sidewalk on the north shoulder of Gatlin Blvd. Sanitary sewer service is proposed via a lift station under construction at the time of this application within the adjoining property to the west.
- **Staff findings:** Adequate utilities are available to service the development.

(D) Adequate screening or buffering. Additional buffering beyond that which is required by the code may be required in order to protect and provide compatibility with adjoining properties.

- Applicant response: At the time of this application, no additional buffering and/or screening is proposed. The proposed site layout will adhere to the required landscape buffer and screening requirements as per the City's code of development for this use and zoning district criteria.
- Staff findings: A wall is required in a landscape buffer strip where commercial, industrial, institutional, office, or public facility uses abut property to the side or rear which is designated with a residential or open space land use. A buffer wall will be used to screen the proposed development from neighboring residential properties to the north of the site. The architectural wall is required to be at least 6 feet in height measured from the finished floor elevation of the primary structure on the subject property.

(E) Signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required.

- Applicant response: Proposed site lighting will be adhered to promote traffic safety and minimize undue glare, incompatibility or disharmony with adjoining properties. The project site abuts a commercial property to the west, Gatlin Blvd. ROW to the south, Kensington St. ROW to the east and 100-ft. of Canal E-8 ROW to the north. The proposed building is located to the southeast, away from the residential neighbors to the north.
- Staff findings: All signs and exterior lighting shall be required to adhere to the requirements of the City's Codes.

(F) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

- Applicant response: The proposed layout intends to adhere to the minimum requirements for proposed yard buffers and open spaces, consistent with commercial uses in the surrounding areas.
- Staff findings: The proposed yard setbacks and open space meet the City Code requirements and are adequate, to properly serve the proposed development and to ensure compatibility with adjoining properties.

(G) The use as proposed will be in conformance with all stated provisions and requirements of this chapter.

- Applicant response: The proposed 7 Brew Drive-Thru Coffee use is an approved use under Section 158.124 (B)(5) restaurants under the General Commercial zoning district. The intent for the SEU is to adhere to Section 158.124(C)13 for the drive-thru portion of the use. Note, a previous Special Exception Approval was issued to a Subway development at this same location.
- Staff findings: The proposed Special Exception Use shall conform to all provisions of the City's Zoning Code.

(H) Establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the City.

- Applicant response: Establishment and operation of the proposed use will not impair the health and safety, welfare or the convenience of residents and workers of the City. The proposed use is

an approved use under the current zoning district and will provide a site layout that will not adversely affect health, safety, welfare or convenience of residents and workers of the City.

- Staff findings: By adhering to City Codes and Regulations, the establishment and operation of the proposed use is not anticipated to impair the health, safety, welfare, or convenience of residents and workers in the City.

(I) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity.

- Applicant response: 7 Brew is a drive-thru only coffee use, its operations criteria is to serve its drive-thru only patrons in under a minute and a half. The layout proposed provides an efficient and safe circulation around the site for its customers and patrons while not adversely impacting the surrounding roadways and/or neighbors. Its hours of operation are 5:30am to 10:00pm.
- Staff findings: The proposed use is not expected to generate noise or hazards because of the number of persons who will attend or use the facility. The establishment will operate year-round and be open from 5:30 AM to 10:00 PM. Public Works has reviewed the drive-thru queuing analysis and found that adequate queuing and stacking will be provided on site. See attached memo. The proposed use is not expected to impact the neighbors or surrounding roadways.

(J) The use as proposed for development will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access location, light and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes or changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood.

- Applicant response: The proposed use is within the General Commercial (CG) zoning district and is an approved use in the zoning district. The adjacent parcel to the west is also zoned CG and is being developed as a Waffle House restaurant. Gatlin Blvd. corridor includes other commercial zoning districts with similar and/or compatible commercial uses. As noted, a previous Special Exception Approval was issued to a Subway development at this same location.
- Staff findings: The proposed use is not expected to adversely impact surrounding properties. The building footprint is proposed to be 778 square feet and is adjacent to commercial uses such as a restaurant to the west of the site.

(K) As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of neighborhood.

- Staff findings: Acknowledged.

(L) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both.

- Staff findings: Acknowledged.

PLANNING AND ZONING BOARD ACTION OPTIONS

Section 158.260 (A) through (L) of the City code, then the Board may:

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with conditions

If the board finds that the special exception use application is inconsistent with the criteria as listed in Section 158.260 (A) through (L) of the City code, then the Board may:

- Motion to recommend denial to the City Council

Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to table or continue the hearing or review to a future meeting.