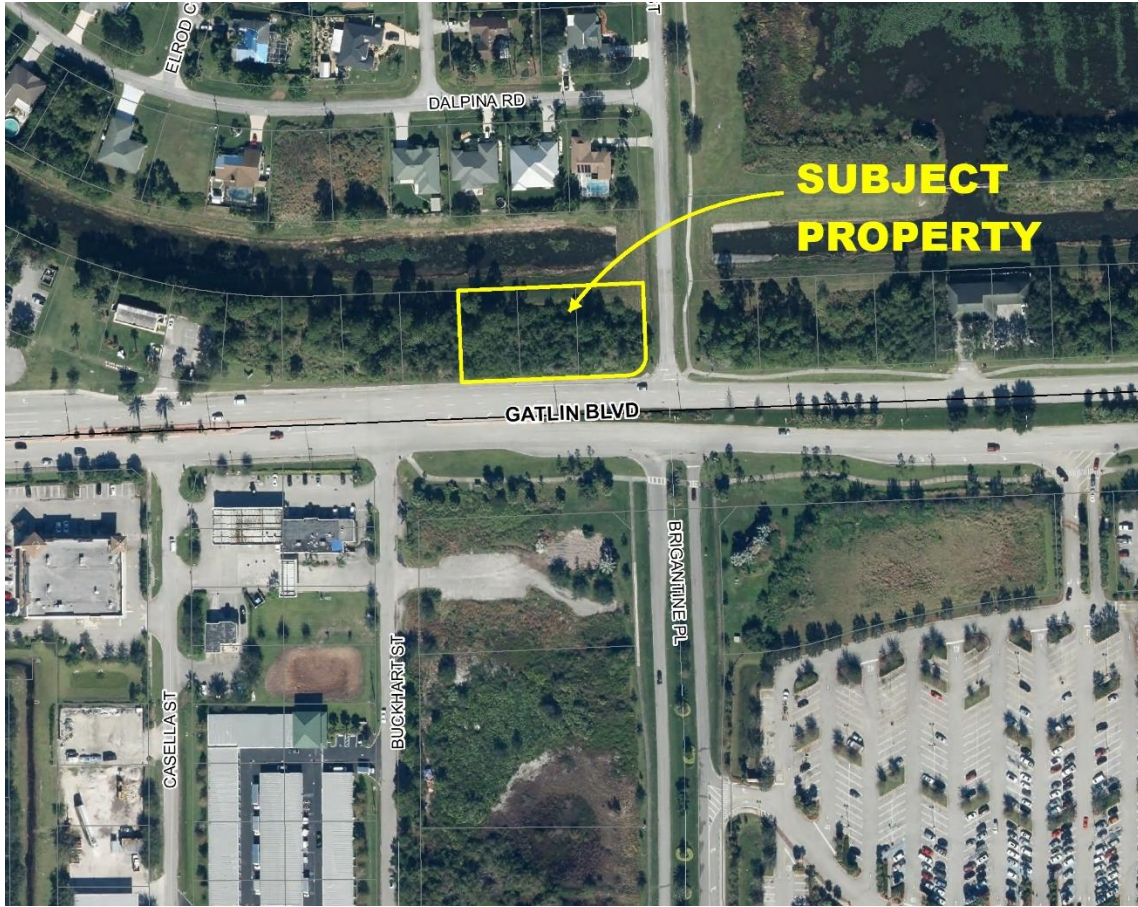




**Subway Restaurant at Gatlin
 Special Exception Use Application
 P21-195**



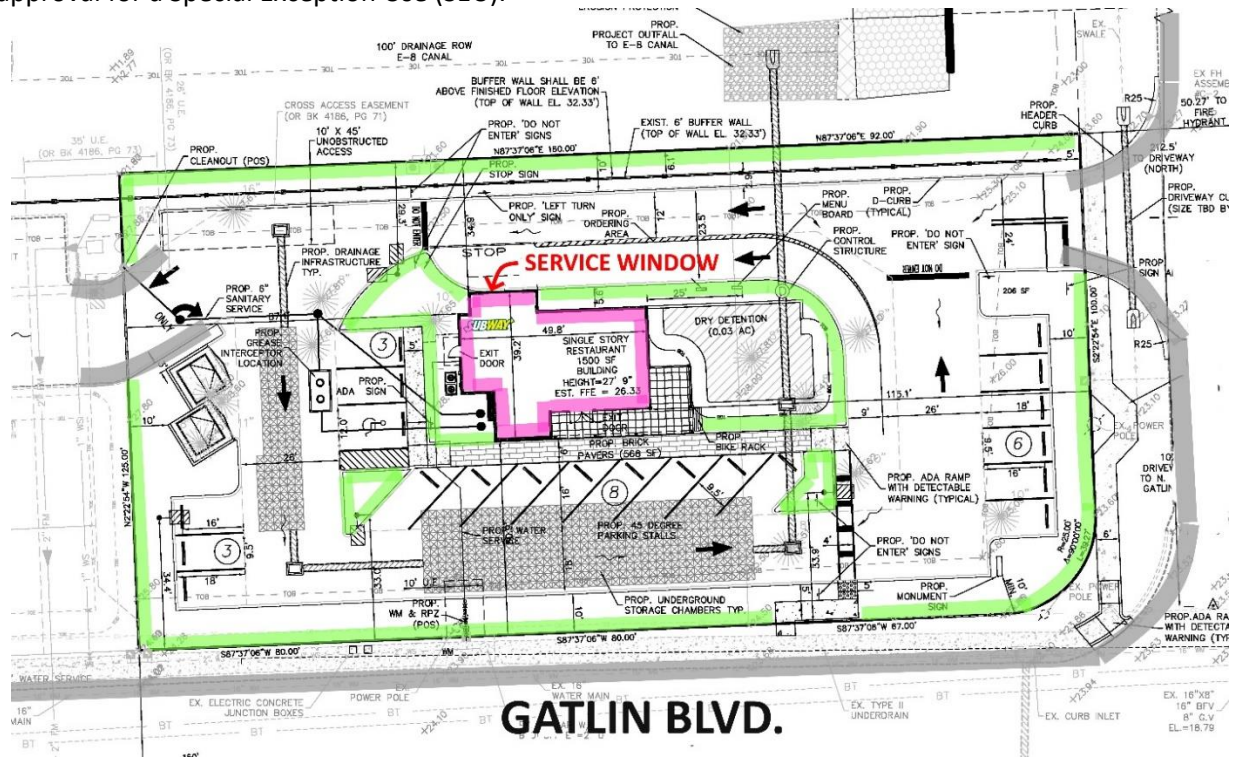
Project Location Map

SUMMARY

Applicant's Request:	The request is for approval of a Special Exception Use (SEU) for drive-through service window for a proposed Subway fast-food restaurant on Gatlin Boulevard.
Applicant:	Stefan Matthes, Culpepper & Terpening
Property Owner:	Yani Enterprises, LLC
Location:	Located on north side of SW Gatlin Boulevard, the west side of SW Kensington Street, and east of I-95.
Address:	TBD
Project Planner:	Holly F. Price, AICP, Senior Planner

Project Description

The proposed project consists of a 1,500 S.F. fast-food restaurant and a drive-through service window located on the north side of the building that does not face a street. A restaurant is a permitted use in a General Commercial (CG) zoning district. As set forth in Section 158.124(C)(13) of the City Zoning Code, a drive-through service window associated with any permitted principal use in a CG zoning district requires approval for a Special Exception Use (SEU).



GATLIN BLVD.
Conceptual Site Plan



Elevations

Previous Actions and Prior Reviews

The Site Plan Review Committee (SPRC) recommended approval of the Conceptual Plan at the September 8, 2021 meeting.

Public Notice Requirements

Notice of this request for a Special Exception Use was mailed to owners of property within a maximum distance of 750 feet to the subject property on November 23, 2021.

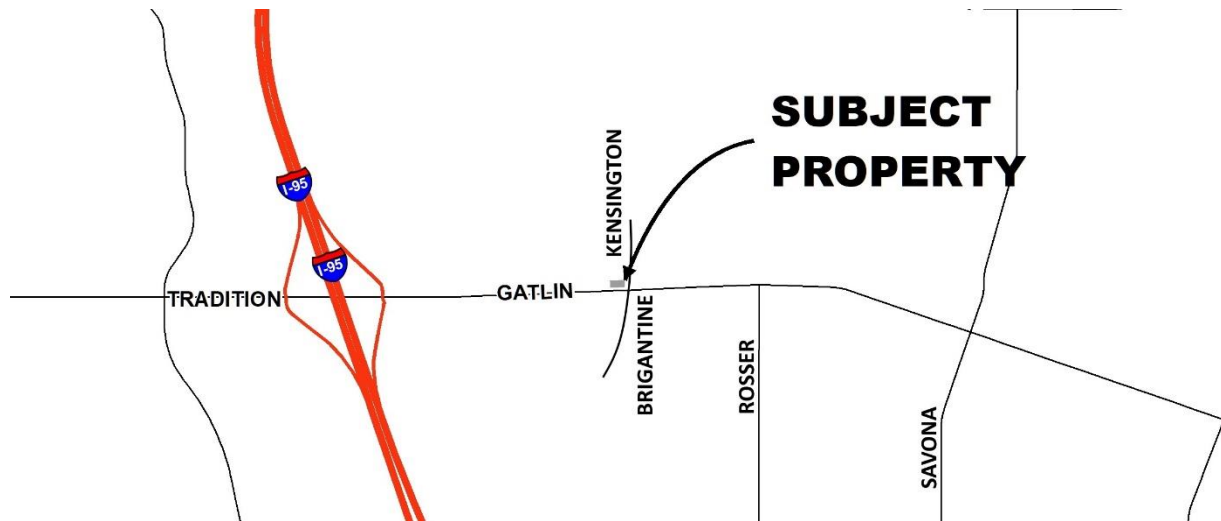
Location and Site Information

Parcel Number:	3420-650-0985-000-4
Property Size:	.72 acres
Legal Description:	Port St Lucie Section 31, Blk 1704, Lots 25, 26, 27
Future Land Use:	CG (General Commercial)
Existing Zoning:	CG (General Commercial)
Existing Use:	Vacant

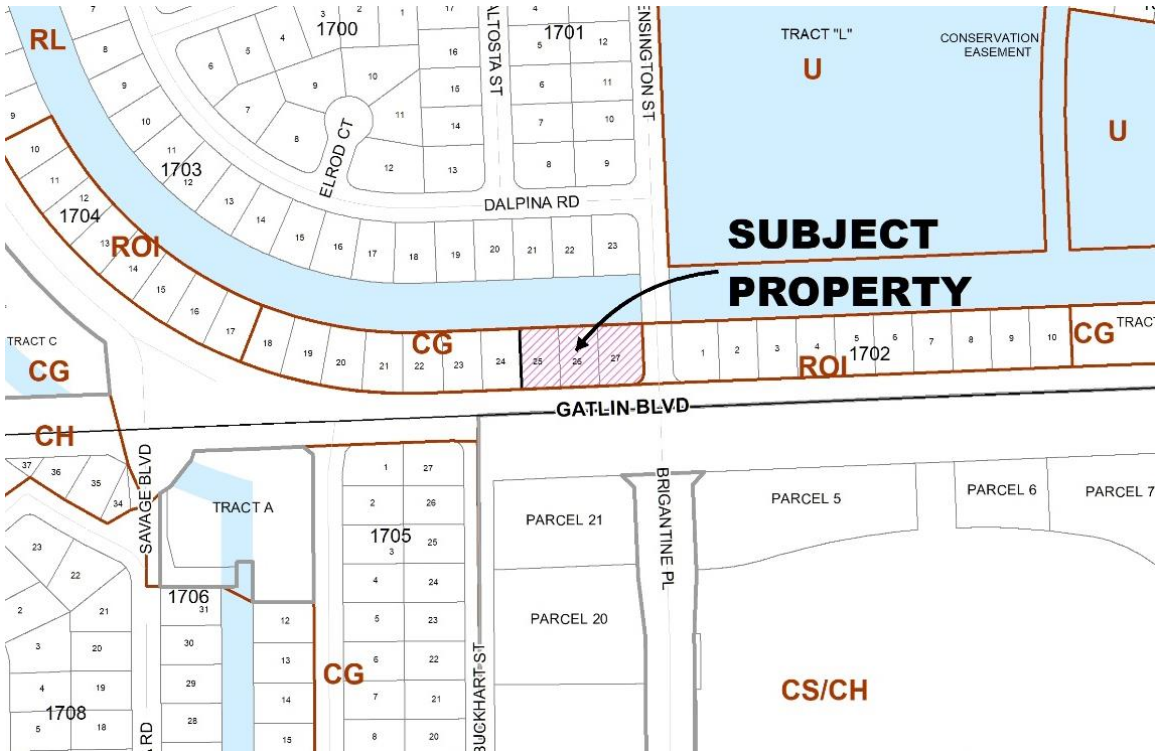
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	Single-Family Residential
South	CS/CH	PUD	Commercial
East	ROI	RS-2	Vacant
West	CG	CG	Vacant

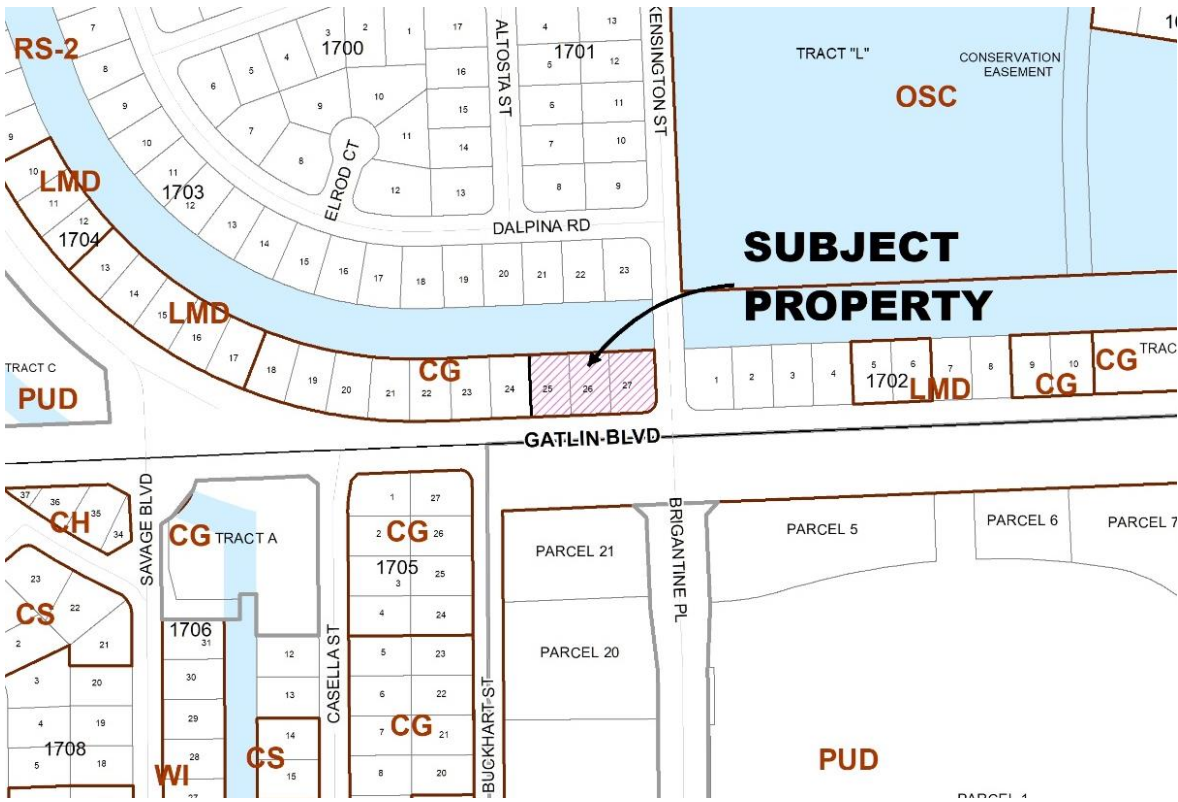
RL- Low Density Residential, CS/CH – Service Commercial/Highway Commercial, ROI – Residential Office Institutional, CG – General Commercial, RS-2 - Single-Family Residential, PUD – Planned Unit Development



Location Map



Future 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.

- **Staff findings:** The main access to the property will be from SW Kensington Street. When the adjacent property to the west is developed, there will be a cross-access driveway between the two lots. This driveway will provide a secondary access. The Concept Plan was reviewed by the Public Works Department. A stacking analysis was provided by Culpepper and Terpening which indicates that the proposed drive-through lanes are of sufficient length to not interfere with traffic circulation and parking. Traffic should not adversely affect the transportation level of service for adjacent roads. See attached Public Works Traffic Memo.

Pedestrian access is provided by sidewalks located on along Gatlin Boulevard and SW Kensington Street. The sidewalk along Gatlin Boulevard connects to the main entrance of the building. The proposed bike rack is shown on the Concept Plan near the front of the building.

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

- **Staff findings:** According to the City Zoning Code, Section 158.221(C), 1 parking space for each 75 S.F. of building area is required for a free-standing restaurant with a drive-through window. Twenty (20) parking spaces are required, and twenty (20) parking spaces are proposed including 1 handicapped space. The site is located within a conversion area. The vacant property to the west of the site has a General Commercial (CG) zoning designation and the vacant property to the east has a Residential, Office, Institutional future land use designation. The back of the site abuts a 100-foot-wide drainage canal. Single-family residential uses are located behind the canal. The property is required to have a 6-foot-high wall along the back of the property to screen the restaurant from the residential uses. Noise, odor, and glare should not be an issue.

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

- **Staff findings:** The subject property is located in a developed area of the City and facilities are in place to serve the development by the City Utility Department.

(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.

- **Staff findings:** The site is adjacent to vacant commercial property on the west side and vacant property with a Residential, Office, Institutional (ROI) future land use on the east side. A 6-foot-high wall with landscaping is required by City code along the rear of the site to screen the restaurant from the nearby residential uses. Additional buffering is not required. The Landscape Plan will be required to meet the City Landscape Code requirements.

(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.

- Staff findings: All exterior lighting shall be in conformance with Section 158.221 of the City Zoning Code and all signage shall be in accordance with Chapter 155 of the City Sign Code.

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

- Staff findings: The site is adjacent to commercial property on the west side and a vacant property with a Residential, Office, Institutional (ROI) future land use on the east side. A 6-foot-high wall with landscaping is required along the rear of the site to screen the restaurant from residential uses. Additional buffering is not needed. The Landscape Plan will be required to meet the City Landscape Code.

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

- Staff findings: Restaurant uses are permitted uses in the General Commercial (CG) zoning district. Drive-through service windows associated with any permitted use requires approval of a Special Exception Use (SEU). The drive-through window does not face a street and no additional buffering is required for the window.

(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.

- Staff findings: The proposed drive-through is in an area designated for commercial development. Some of these other uses will also be open for 12, or so, hours. Per the applicant, the hours of operation for the proposed restaurant with drive-through service will be as follows:

Mon-Th	9 AM - 9 PM
Friday	9 AM - 10 PM
Saturday	9 AM - 10 PM
Sunday	9 AM – 9 PM

(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.

- Staff findings: The proposed drive-through is in an area designated for commercial development. Vehicular and pedestrian circulation has been reviewed by the Site Plan Review Committee for safety and function. A 100' canal and a 6' wall will buffer the view and any sound from the restaurant to the residential properties located behind the restaurant. The hours of operation for the proposed restaurant and drive-through service will be as follows:

Mon-Th	9 AM - 9 PM
Friday	9 AM - 10 PM
Saturday	9 AM - 10 PM
Sunday	9 AM – 9 PM

(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.

- Staff findings: The proposed drive-through service is in an area designated for commercial development. The site is adjacent to commercial property on the west side and a vacant property with a Residential, Office, Institutional (ROI) future land use on the east side. A 6-foot-high wall and landscaping are required along the rear of the site to screen the view from residential uses. The Site Plan will be required to meet the City Landscape Code. The size, height, and character of the proposed development is in harmony with existing and proposed development in the area.

(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.

- a) 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.

- a) Staff findings: Acknowledged.

Public Works - Traffic Analysis, Drive-Through Queuing

This Application, Traffic Analysis and Drive Thru Stacking Analysis prepared by Culpepper & Terpening, Inc. dated November 22, 2021 have been reviewed by the Public Works Department and the transportation elements of the project were found to be in compliance with the adopted level of service and requirements of Chapter 156 of City Code, and Public Works Policy 19-01pwd.

Per the Traffic Analysis provided, this proposed site would produce a total of 77 PM Peak Hour trips. The proposed Traffic Stacking and Circulation for this site would provide the minimum of 8 queuing spaces per The City of Port St. Lucie Engineering Standards for Land Development. Additional queuing spaces could also be provided on site with a partial blocking of proposed parking spaces.

PLANNING AND ZONING BOARD ACTION OPTIONS

If the Board finds that the special exception use application is consistent with the criteria as listed in 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 as recommended by staff

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.