



PLANNING AND ZONING BOARD STAFF REPORT
December 6, 2022, Planning and Zoning Board Meeting

**FPL-Eden - Storage
Special Exception Use
P22-185**



Project Aerial Map

SUMMARY

Applicant's Request:	The request is for approval of a Special Exception Use (SEU) to allow a semi-public facility or use for the storage of vehicles and equipment in the General Commercial (CG) Zoning District as per Section 158.124(C)(3) of the Zoning Code.
Applicant:	Florida Power and Light Company
Agent:	Leo Giangrande
Property Owner:	Florida Power and Light Company
Location:	Located northeast of the intersection of SE Jennings Rd. and SE Grand Dr.
Address:	3733 SE Jennings Rd.
Project Planner:	Bianca Lee, Planner I

Project Description

The applicant is requesting a special exception use to allow a semi-public facility or use for the storage of vehicles and equipment, as per Section 158.124(C)(3) of the General Commercial (CG) zoning district (see the attachment, project narrative, a description for the proposed use of the site prepared by the applicant). The proposed special exception use will develop the remaining areas of the site adjacent to the existing FPL Eden Substation. The purpose of this request is to allow on site storage for a semi-public use. Section 158.124(C)(3) of the Zoning Code lists a semi-public facility or use as a special exception use that may be permitted only following the review and specific approval thereof by the City Council.

Background

The FPL Eden site plan (P22-145) was submitted for review on 4/20/2022. The applicant was advised that an SEU for the proposed use must be approved by the City Council prior to site plan approval. The applicant advised staff that the intent was to store trucks associated with the adjacent utility use. Staff supported that request as it would likely not have a detrimental impact on the abutting residential uses. The proposed use of the site in the revised narrative (attached) depicts an expansion of the proposed use which seems more similar to a contractor's storage yard. The definition of Semi-Public Facility or Use is: *SEMI-PUBLIC FACILITY OR USE. Any building or open area privately owned and operated for the purpose of providing public services, but not including wireless communication antennas and towers.* It is no longer clear to staff that the proposed use will not negatively impact the adjacent residential uses.

Public Notice Requirements

Notice of this request for a Special Exception Use was mailed on August 25, 2022, to owners of property within a 750-foot radius of the subject property.

Location and Site Information

Parcel Number:	3414-501-3813-250-8
Property Size:	9.50 acres
Legal Description:	St Lucie Gardens-Blk 4 – Lots 13 & 14
Future Land Use:	CG (General Commercial)
Existing Zoning:	CG (General Commercial)
Existing Use:	Partially Vacant/FPL Eden Substation

Surrounding Uses

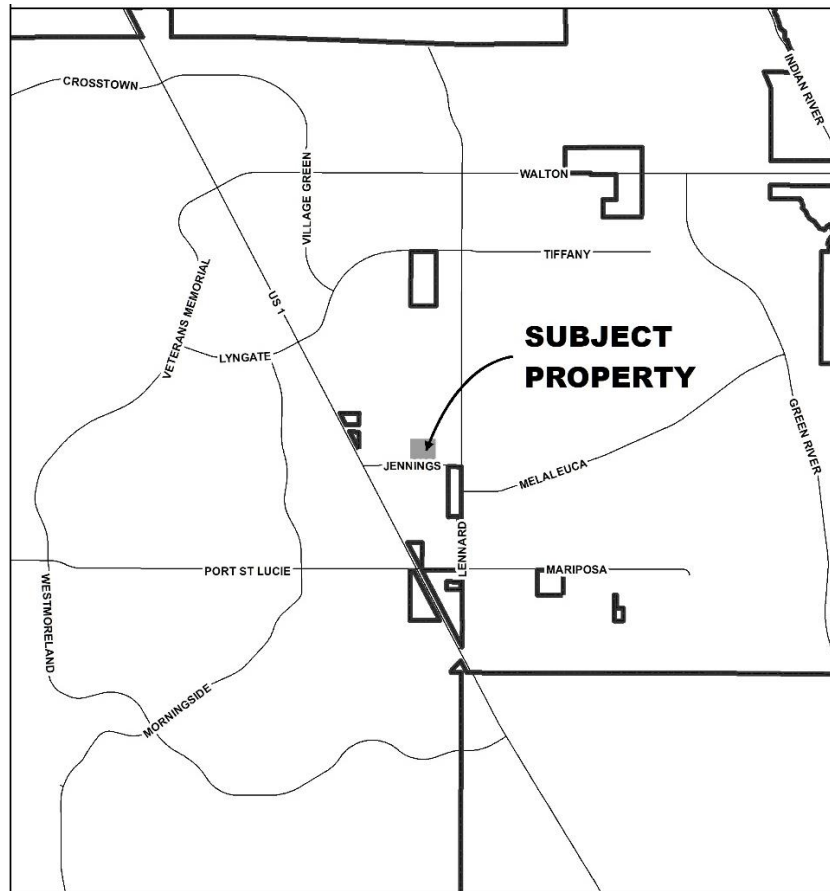
Direction	Future Land Use	Zoning	Existing Use
North	RM	PUD	Single-Family Home
South	CG	CG	Self-Storage Facility/Shopping Center
East	RM	PUD	Single-Family Home
West	CG	PUD	Nursing Home/ALF

Future Land Use

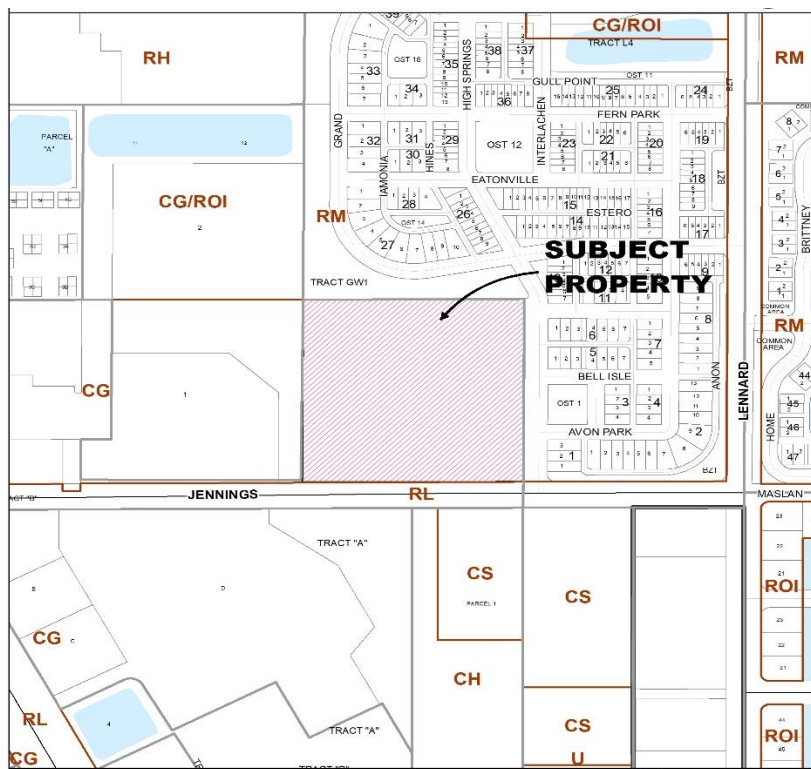
RM – Residential Medium and CG – General Commercial

Zoning District

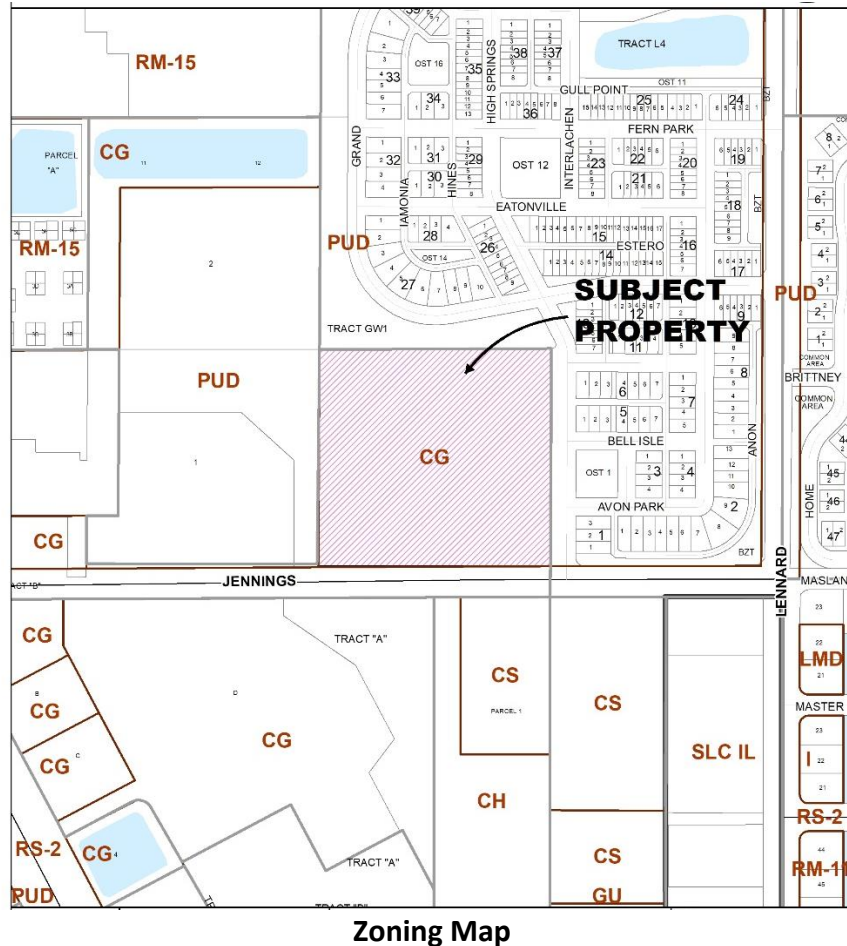
PUD– Planned Unit Development and CG – General Commercial



Location Map



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 conceptual site plan demonstrates that the site has adequate ingress and egress for vehicles, the existing sidewalk along Jennings Rd. will allow for pedestrian circulation. The property is located on SE Jennings Rd and has two access points, both on SE Jennings Rd.

(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:** Off-street parking and loading areas are not proposed for this use.

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

- Staff findings: Adequate utilities are available to service the proposed 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.

- Staff findings: The proposed site development is an addition to the existing substation for the purpose of storage and semi-public use. The site abuts the residential East Lake Village community to the north and east, an assisted living facility to the west, a shopping center with mixed use and a self-storage facility, to the south. There is an existing 6-foot architectural wall with landscaping located along the east and north sides of the existing FPL Eden Substation. The applicant proposes to continue the 6-foot architectural wall with landscaping along the north side and install an 8-foot architectural wall and landscaping along the west and south sides of the property adjacent to the proposed storage yard. An 8-foot opaque chain-link fence with landscaping is proposed to separate the electrical substation and proposed storage yard within the FPL Eden parcel. The driveway access, off of Jennings Road will be gated with an opaque gate. The proposed buffering is shown on the attached conceptual plan and renderings. The installation of the 6 -foot wall on the north, and 8-foot wall along the west and south sides of the property will allow for the conformity of design features and adequate buffering of the site. The buffer will allow the storage yard to be appropriately screened from the roadway and surrounding sites.

(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: Outdoor lighting will be required to comply with the requirements of City Zoning Code Section 158.221.

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

- Staff findings: Yard setbacks and open space will be 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.

Staff findings: The proposed Special Exception Use is permitted as defined by Section 158.124(C)(3) - CG (General Commercial) Zoning District and defined as *SEMI-PUBLIC FACILITY OR USE. Any building or open area privately owned and operated for the purpose of providing public services, but not including wireless communication antennas and towers.* The attached narrative describes the use clearly and it is similar to a contractor's storage yard. If approved this use must 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.

- 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.

- Staff findings: The paved storage lot is proposed to be used as though it is a contractor's storage yard with stockpiles of building materials, plant materials, mulch and truck/equipment parking. The use is not expected to generate hazards for the surrounding developments, but it could result in noise, dust or other conditions that could constitute a nuisance or create safety hazards for persons or surrounding developments. The normal hours of operation will be from 8am-5pm. The applicant has expressed that the site will not be accessed daily, instead it will be used only during certain times, while being utilized for the storage needs of FPL or their affiliates. The applicant has also noted that the site is expected to generate less than 100 ADT trips per day.

(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 use is proposed adjacent to residential uses and is clearly described in the revised narrative (attached). As described it is similar to a contractor's storage yard and not the type of uses that is typically adjacent to residential uses. This type of operation is normally in industrial areas. The use may generate noise and/or dust. The site fronts on a heavily traveled roadway that would benefit from the buffering which the applicant proposes.

(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 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.