



**VYBE SLW, LLC. (Raising Cane’s Restaurant)
 Special Exception Use Application
 P21-149**



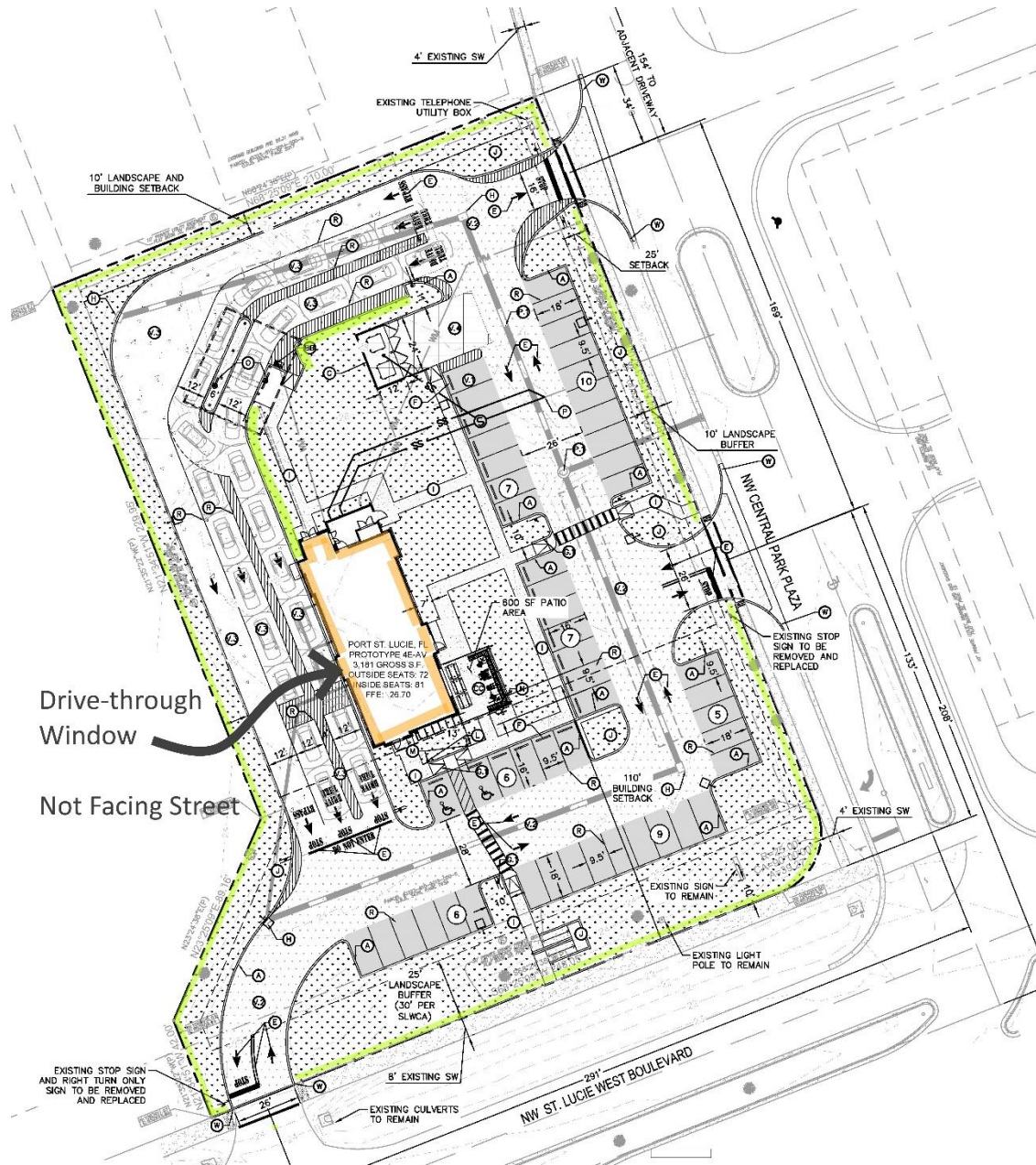
Project Location Map

SUMMARY

Applicant’s Request:	The request is for approval of a Special Exception Use (SEU) for drive-through service window for a proposed Raising Canes fast-food restaurant.
Applicant:	Meghan Chachra, Kimley-Horn
Property Owner:	VYBE SLW, Inc.
Location:	Located north of St. Lucie West Boulevard, west of NW Central Park Plaza, and east of I-95.
Address:	1549 NW St. Lucie West Blvd.
Project Planner:	Holly F. Price, AICP, Senior Planner

Project Description

The proposed project consists of a 3,181 S.F. fast-food restaurant with a 642 S.F. exterior dining area and a drive-through service window located on the west 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). Currently, a bank with a drive-through window is located on the site.



Conceptual Site Plan

Previous Actions and Prior Reviews

The Site Plan Review Committee (SPRC) recommended approval of the Conceptual Plan at the September 8, 2021 SPRC 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 September 23, 2021.

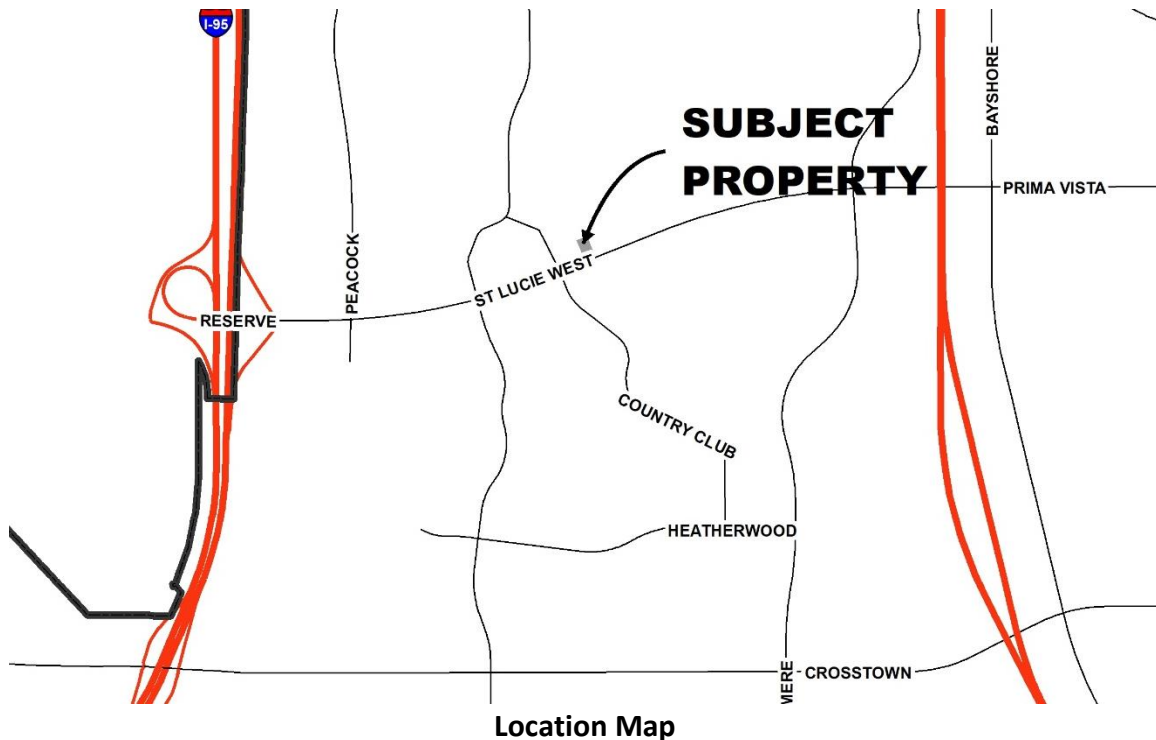
Location and Site Information

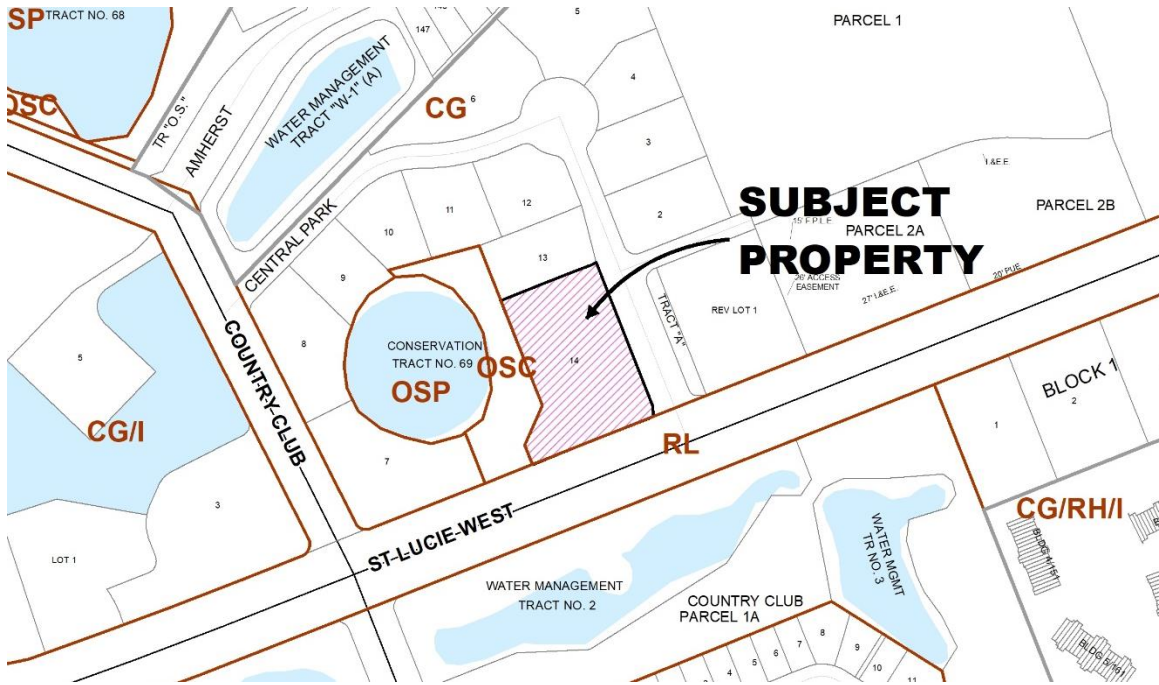
Parcel Number:	3323-810-0015-000-6
Property Size:	1.72 acres
Legal Description:	St Lucie West Plat #47 Central Park Third Replat In Parcel 39 Lot 14 (1.718 AC) (OR 3476-1934)
Future Land Use:	CG (General Commercial)
Existing Zoning:	CG (General Commercial)
Existing Use:	Harbor Community Bank

Surrounding Uses

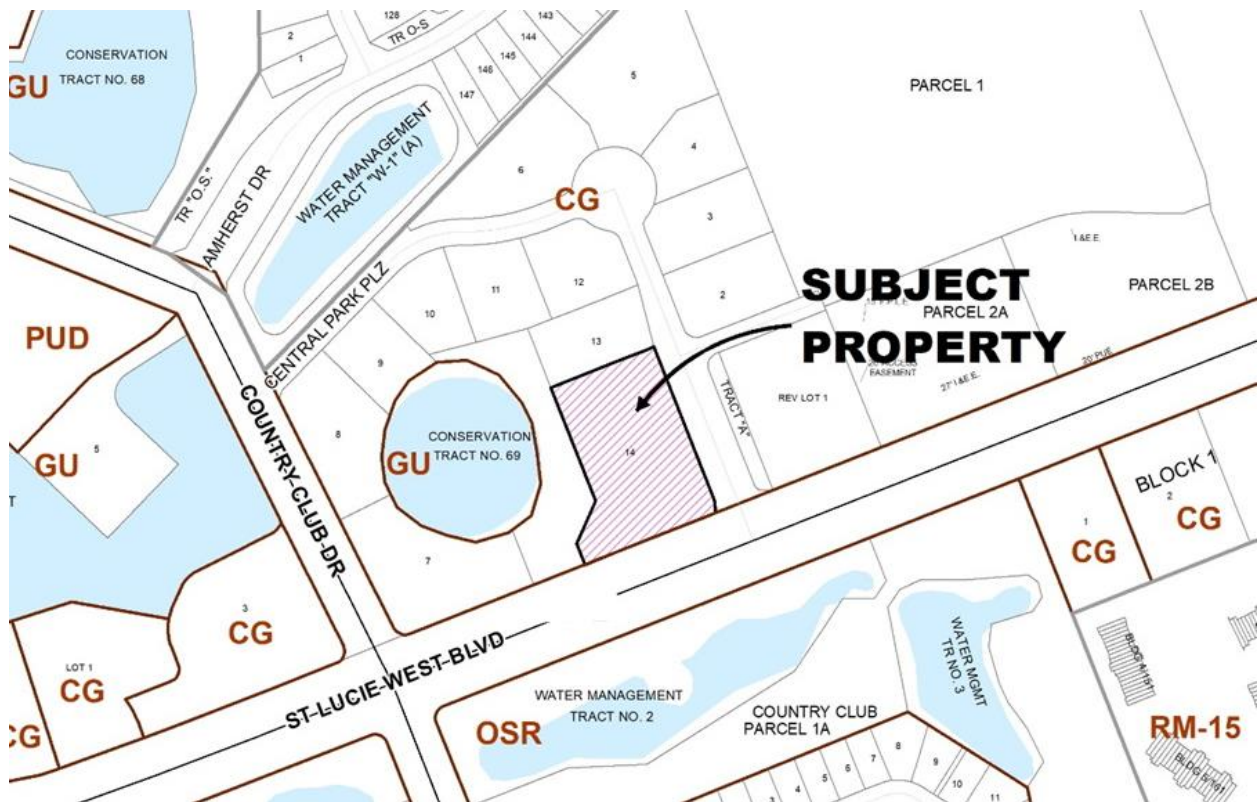
Direction	Future Land Use	Zoning	Existing Use
North	CG	CG	Office
South	OSR	OSR	Open Space
East	CG	CG	Commercial - Burger King
West	OSC	OSC	Vacant (Buffer)

CG – General Commercial, OSR – Open Space Recreation, OSC – Open Space Conservation





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 property will be accessed via NW Central Park Plaza and St. Lucie West Boulevard. The Concept Plan was reviewed by the Public Works Department. A stacking analysis was provided that shows that the proposed two 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 to the sidewalks located on along St. Lucie West Boulevard and NW Central Park Plaza. The sidewalks inter-connect to the main entrances of the building. The location for a proposed bike rack is shown on the Concept 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.

- **Staff findings:** According to the City Zoning Code, Section 158.221(C), 1 space for each 75 S.F. of building area is required for a free-standing restaurant with a drive-through window. Fifty (50) parking spaces are required, and fifty (50) parking spaces are proposed including 2 handicapped spaces. The site abuts or is adjacent to commercial uses on two sides. The back of the site abuts an office use. There is a 600 sq. ft. area for outdoor seating. However, the seating area is adjacent St. Lucie West Boulevard and commercial 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 St. Lucie West.

(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 commercial or office properties on two sides and a vegetated buffer on another side. The Site Plan will be required to meet the City Landscape Code requirements. A buffer wall is not required by City code. Additional buffering should not be needed.

(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 or office properties on two sides and a vegetated buffer area on another side. The Site Plan will be required to meet the City Landscape Code. A buffer wall is not required by City Code. Additional buffering is not needed.

(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 CG zoning district. Drive-through service windows associated with any permitted use requires approval of a Special Exception Use. Currently, a bank with a drive-through window is located on this site.

(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: Per the applicant, the hours of operation for the proposed restaurant and drive-through service will be as follows:
- Sunday-Thursday, 9:30 AM – 1:30 AM and Friday-Saturday: 9:30 AM to 3:30AM.

(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. The hours of operation for the proposed restaurant and drive-through service will be as follows:
- Sunday-Thursday, 9:30 AM – 1:30 AM and Friday-Saturday: 9:30 AM to 3:30AM.

(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. Currently, there is a bank with a drive-through window located on the site. Commercial or office properties are adjacent on two sides and a vegetated buffer area is located on another side. The Site Plan will be required to meet the City Landscape Code. A buffer wall is not required by the City 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

- Traffic Queuing Analysis received originally in July 2021 and revised later in October 2021.
- Revised Queuing Analysis was required for the applicant to provide queuing data from other restaurant locations to staff. This submittal included a significant increase of queuing provided on site during peak customer times and a Traffic Management Plan for how the drive-through operation will adjust during unusually high peak times.
- Traffic Queuing Analysis and Traffic Management Plan has been reviewed by Staff and found to be in compliance with Public Works Policy #19-01.

Related Projects

P93-041 – Site Plan – Community Federal Savings

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.