



STAFF REPORT

CITY OF GREEN COVE SPRINGS, FLORIDA

TO: Planning and Zoning Commission **MEETING DATE:** 11/29/2022
FROM: Michael Daniels, Planning and Zoning Director
SUBJECT: Special Exception Request for a drive through facility for a restaurant in the Gateway Corridor Commercial District, located at 1213 Idlewild Avenue.

PROPERTY DESCRIPTION

APPLICANT: Brad Wester, Driver, McAfee, Hawthorne, Diebenow, PLLC **OWNER:** Jamil Boutros

PROPERTY LOCATION: 1213 Idlewild Avenue

PARCEL NUMBER: 38-06-26-017073-000-00

FILE NUMBER: SE-22-004

CURRENT ZONING: Gateway Corridor Neighborhood (GCN)

FUTURE LAND USE DESIGNATION: Mixed Use

SURROUNDING LAND USE

NORTH: **FLU:** Neighborhood/Mixed Use **SOUTH:** **FLU:** Neighborhood
Z: Residential Professional Office (RPO)/GCN **Z:** R-1 Single Family Residential
Use: Single Family/Undeveloped **Use:** Single Family

EAST: **FLU:** Mixed Use **WEST:** **FLU:** Neighborhood
Z: GCN **Z:** RPO
Use: Single Family **Use:** Daycare

BACKGROUND

The property is .41 acres and has an existing single-family home that was originally constructed in 1950. The residential home is 841 square feet and had been used as a residence as recently as March, 2022. The house has access off of Idlewild Avenue. The property is sparsely wooded with cedar, oak palm and camphor trees.

The property owner is proposing to open a restaurant with a drive through lane. Restaurants are a permitted use in the GCN Zoning District but a special exception is required to add a drive through lane as set forth in section 117-541(4).

Special Exceptions require approval by the Planning and Zoning Commission subject to the criteria set forth in Section 101-352:

Special Exception Review Criteria

When deciding requests for special exceptions, the planning and zoning board shall make written findings that the special exception satisfied the following criteria:

- (1) Compliance with all elements of the comprehensive plan

The proposed use is an accessory commercial use which is consistent with the Future Land Use Policy 1.1.1c. regarding the Neighborhood Future Land Use (FLU) Designation. The Neighborhood FLU is intended for low to medium density residential uses.

- (2) The establishment, maintenance or operation of the special exception will not be detrimental to or endanger the public health, safety or general welfare, and is not contrary to established standards, regulations or ordinances of other governmental agencies.

The proposed development will be consistent with the commercial character of the SR 16 Corridor and will not negatively impact the area. Landscape buffering and screening shall be required against adjacent residential uses.

- (3) Each structure or improvement is so designed and constructed that it is not unsightly, undesirable or obnoxious in appearance to the extent that it will hinder the orderly and harmonious development of the city and the zoning district in which it is proposed.

The existing single-family home will be repurposed as a commercial structure maintaining it's existing character.

- (4) The special exception will not adversely impact the permitted uses in the zoning district nor unduly restrict the enjoyment of other property in the immediate vicinity nor substantially diminish or impair property values within the area.

The proposed use is consistent with the character of SR 16 and will provide buffering and screening against residential uses.

- (5) The establishment of the special exception will not impede the orderly development and improvement of the surrounding property for uses permitted in the zoning district.

The proposed development will not impact the improvement of surrounding properties.

- (6) Adequate water supply and sewage disposal facilities will be provided in accordance with state and county health departments.

Water and sewer are available.

- (7) Adequate access roads, onsite parking, onsite loading and unloading berths, and drainage have been or will be provided where required.
- Access, and onsite parking are shown on the provided sketch plan. A detailed site development plan shall be required if the Special Exception for the drive through facility is approved.*
- (8) Adequate measures have been taken to provide ingress and egress to the property, which is designed in a manner to minimize traffic congestion on local roads.
- Access to the restaurant is provided off of SR 16.*
- (9) Adequate screening and buffering of the special exception will be provided, if needed.
- Landscape requirements pursuant to the City code shall be provided as part of the site plan submittal. An opaque fence 4' in height varying 8' in height and landscaping shall be provided to mitigate the impact from the proposed development to adjacent residential uses.*
- (10) The special exception will not require signs or exterior lighting which will cause glare, adversely impact area traffic safety or have a negative economic effect on the area. Any signs or exterior lighting required by the special exception shall be compatible with development in the zoning district.
- Signage shall be consistent with this requirement and approved pursuant to the requirements set forth in Chapter 125 of the City Code.
- (11) The special exception will conform to all applicable regulations of the zoning district in which it is proposed.

STAFF RECOMMENDATION

Recommended Motion:

Motion to approve the Special Exception for 1213 Idlewild Avenue, to allow a drive through lane as an accessory component of the development of a restaurant at this location with the following conditions:

1. Provide a landscape buffer with small trees (6' – 8' in height) and a continuous hedge along the eastern and southern property line adjacent to the residential properties.
2. Provide small trees (6-8' in height) between SR 16 and the retention area/parking lot.
3. Provide a 6' decorative fencing around Drainage retention area.
4. Site Development Plan submittal is required and shall comply with all requirements of the Cities Land development code.
5. Provide a certified arborist to evaluate the trees to be saved.
6. The proposed hours of operation shall be limited to 7 am and 10 pm.
7. No garbage pickup shall occur prior to 8 am.
8. A photometric plan shall be provided as part of site plan review. Exterior lighting on the property shall be designed so as not to encroach on adjacent properties.

9. Special exception shall expire if site plan is not approved within one year of special exception approval date.