

## INDIAN RIVER COUNTY, FLORIDA

### MEMORANDUM

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**TO:** Indian River County Board of County Commissioners

**THROUGH:** John A. Titkanich, Jr., County Administrator

**PREPARED BY:** Patrick J. Murphy, Senior Planner

**DATE:** April 25, 2024

**SUBJECT:** The Hope for Families Center, Inc.'s Request for Special Exception Use and Major Site Plan Approval for Expansion of an Existing Residential Treatment Center [SP-SE-24-01-01 / 2001110024-95660]

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It is requested that the data presented herein be given formal consideration by the Board of County Commissioners at its regular meeting of May 7, 2024.

#### **DESCRIPTION & CONDITIONS**

Carter Associates, Inc. has applied on behalf of The Hope for Families Center, Inc. to expand an existing residential treatment center located at 720 4<sup>th</sup> Street. Located on the north side of 4<sup>th</sup> Street, approximately 300 feet east of the 4<sup>th</sup> Street/Old Dixie Highway intersection, the subject site is zoned CH, Heavy Commercial, and has a C/I, Commercial/Industrial land use designation (see attachment #2). Special exception use approval is needed to expand the existing residential treatment center.

Currently, the subject site consists of two (2) existing buildings (totaling 8,905 sf) that are used as a homeless shelter for families (total of 23 units), and a 2,021 sq. ft. building that is used as an accessory office and warehouse. The existing shelter buildings will remain, and the existing office building will be replaced with a new office building. Planning Division staff has classified the homeless shelter use as a residential treatment center for zoning purposes. A residential treatment center is defined in LDR Chapter 901 as a secure facility providing diagnosis, treatment, habitation, or rehabilitation on an in-patient basis in a living environment, which includes the supervision and care necessary to meet physical, emotional and/or social needs of clients.

The applicant proposes to construct two (2) additional shelter buildings totaling 12,572 square feet with 29 new residential units to be used as a "transitional housing facility," which will provide supportive services to homeless families for up to 12 months (see attachment 3; provided by the applicant). Supportive services are services that promote residential stability, increased skill level and/or income, and greater self-determination. Given that description of the new building addition, the transitional housing facility may also be classified as a residential treatment center for zoning purposes.

Currently, the Board of County Commissioners (BCC) is to consider the request and approve, approve with conditions, or deny the special exception use request for the proposed expansion of the existing residential treatment facility. Pursuant to Section 971.05 of the Land Development Regulations (LDR's), the BCC is to consider the appropriateness of the requested use for the subject site and surrounding area. The BCC may attach reasonable conditions and safeguards necessary to mitigate impacts and to ensure compatibility of the use with the surrounding area.

### **PLANNING AND ZONING COMMISSION (PZC) RECOMMENDATION:**

At its meeting of March 28, 2024, the PZC voted 6-0 to recommend that the BCC grant major site plan and special exception use approval with the conditions recommended by staff (see attachment 1).

### **ANALYSIS**

1. **Project Site Area:** 99,596 sq. ft. or 2.29 acres

2. **Zoning Classification:** CH, Heavy Commercial

3. **Land Use Designation:** C/I, Commercial/Industrial

4. **Building Area:**

Existing:	Homeless Shelter	8,905 sq. ft. (to remain)
	Accessory Office	1,000 sq. ft. (to be removed)
	<u>Accessory Warehouse</u>	<u>1,021 sq. ft. (to be removed)</u>
	Total Existing	10,926 sq. ft.

Proposed:	Transitional Housing	12,572 sq. ft.
Proposed:	<u>Office Building</u>	<u>2,062 sq. ft.</u>
	Total (Post-Project):	23,539 sq. ft.

5. **Open Space:** Required: 20.0% 19,919.2 sq. ft.  
Proposed: 52.81% 52,612.0 sq. ft.

6. **Impervious Surface Area:** Existing 9,244 sq. ft.  
Proposed 37,740 sq. ft.  
Total 46,984 sq. ft.

7. **Stormwater Management:** The preliminary stormwater management plan has been reviewed and approved by the Public Works Department. Two (2) new dry retention areas are proposed for the subject site. One (1) retention area is in the south-central area of the site, while the second retention area is in the northeast area of the site. An underground pipe will connect the two retention areas. Pursuant to Chapter 930 of the LDRs, a County Type "A" Stormwater Permit will be required prior to site plan release.

8. **Off-Street Parking:** Required: 48 spaces  
Proposed: 48 spaces (42 standard, 4 compacts, 2 handicap)
9. **Traffic Circulation:** The site will be accessed from 4<sup>th</sup> Street via one full-movement, two-way driveway connection, and from 4<sup>th</sup> Place via one full-movement, two-way driveway connection. Traffic engineering staff has reviewed and approved the project's traffic impact statement and internal circulation plan. Based on the traffic impact statement, no off-site improvements are required for this development, and none are proposed.
10. **Landscape Plan:** The proposed landscape plan has been reviewed by planning staff and meets the requirements of Chapter 926 of the LDR's for perimeter, interior, roadway, and non-vehicular open space landscaping areas. Since the subject site does not abut residentially designated property, no special perimeter landscape buffers are required along any property lines, and none are proposed.
11. **Utilities:** The existing facility is served by the County Utility Services Department for potable water and sewer services. These existing services will be utilized for the proposed additions.
12. **Required Improvements:**
- *4<sup>th</sup> Place Sidewalk:* The applicant met with Public Works Staff and in lieu of constructing a sidewalk along 4<sup>th</sup> Place, it was agreed by both parties that it would be more beneficial to construct a 6' wide sidewalk along the east side of Old Dixie Highway, to connect 4<sup>th</sup> Place and 4<sup>th</sup> Street. The sidewalk will need to be constructed or bonded out prior to issuance of a Certificate of Occupancy (C.O.) for the new buildings.
  - *4<sup>th</sup> Street Sidewalk:* A 6-foot-wide sidewalk already exists along the subject property's frontage on 4<sup>th</sup> Street. A small section will be rebuilt, with proper ramp transitions, when the new driveway connection to 4<sup>th</sup> Street is constructed.
13. **Specific Land Use Criteria for a Residential Treatment Center [971.28(6)]:** The specific criteria for the residential treatment center expansion are addressed as follows:
- a. *Residential treatment centers must meet all licensing requirements of the Department of Health and Rehabilitative Services of the State of Florida.*
- Note:** The State of Florida Department of Health has replaced The State of Florida Department of Health and Rehabilitative Services, and Department of Health staff has indicated that no licensing requirements exist for a residential treatment center that serves homeless individuals and/or families. Therefore, this criterion does not apply.
- b. *To avoid unsafe or unhealthy conditions that may be produced by the overcrowding of people living in these facilities, a minimum floor area per person shall be required. Floor area requirements shall be measured from the interior walls of all rooms including closet space.*

- i. *Total interior living space. A minimum of two hundred (200) square feet of interior living space shall be provided per facility resident. Interior living space shall include sleeping space and all other interior space accessible on a regular basis to all facility residents.*

**Note:** The applicant proposes 200 sq. ft. of living space per resident.

- ii. *Minimum sleeping areas. A minimum of eighty (80) square feet shall be provided in each sleeping space for single occupancy. A minimum of sixty (60) square feet of sleeping space shall be provided for each bed in a sleeping space for multiple occupancy.*

**Note:** In Shelter #3, the applicant proposes a minimum of 168 sq. ft. for single occupancy sleeping areas, and a minimum of 78 sq. ft. per resident for double occupancy sleeping areas. Shelter #4 includes all double-occupancy rooms, and each resident is provided a minimum of 60 sq. ft.

- iii. *Bathroom facilities. A full bathroom with toilet, sink, and tub or shower shall be provided for each of five (5) residents.*

**Note:** The applicant proposes 21 complete bathrooms for the 50 residents that will occupy the new buildings.

- c. *The facility shall provide parking at a rate of one space per five hundred (500) square feet of gross floor area and comply with all other aspects of the off-street parking requirements of Chapter 954.*

**Note:** The facility provides parking at a rate of one space per 500 sq. ft. of gross floor area. With the new building, the site will have a total of 23,524 sq. ft. of gross floor area, which requires a minimum of 48 off-street parking spaces. The proposed site plan provides 48 off-street parking spaces.

- d. *The maximum capacity of residential treatment centers shall not exceed the applicable number permitted by the department of health and rehabilitative services.*

**Note:** Since this residential treatment center is not regulated by any state agencies, the maximum capacity of the facility shall be controlled by the minimum living space requirement cited from LDR section 971.28(6) b. noted above.

- e. *No residential treatment center shall be located within one thousand two hundred (1,200) feet of any other residential treatment facility, measured between the closest points of property.*

**Note:** No other residential treatment center exists within 1,200 feet of the subject site.

- f. *Residential treatment centers shall have a twenty-foot buffer strip with Type "A" screening at all points where they abut residentially designated property.*

**Note:** Since the subject site does not abut any residentially designated property, no special landscape buffers are required, and none are proposed.

Therefore, all applicable specific land use criteria for the proposed residential treatment center are satisfied by the proposed site plan.

**14. Surrounding Land Use and Zoning:**

North: 4<sup>th</sup> Place, Self-Service Storage/IL  
South: 4<sup>th</sup> Street, Contractor Trades/CH  
East: Contractor Trades/CH  
West: Automotive Fuel Sales/CH

In summary, staff's analysis indicates that the application, with the conditions recommended below, meets the general and specific criteria for special exception use approval for the proposed residential treatment center expansion.

**RECOMMENDATION**

Staff recommends that the Board of County Commissioners grant special exception use approval for the proposed residential treatment center expansion with the following conditions:

1. Prior to issuance of the first certificate of occupancy for any new building, the applicant shall:
  - a. Construct the Old Dixie Highway sidewalk;
  - b. Install all perimeter buffers and site lighting; and
  - c. Construct all other improvements indicated on the approved site plans.

**ATTACHMENTS**

1. Excerpt from the Draft March 28, 2024 PZC Minutes
2. Location Map
3. The Hope for Families Center Summary
4. Site Plan
5. Aerial Map
6. Landscape Plan