



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

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**STAFF COMMENTS
 24Z00045**

3101 Gannett Plaza AVE LLC

A Conditional Use Permit (CUP) for Alcoholic Beverages for On-Premises Consumption accessory to an indoor family entertainment center with outdoor patio.

(4 COP, with full liquor) on 28.23 acres

Tax Account Number: 2602422 & 2602423
 Parcel I.D.s: 26-36-13-DE-M-6 & 7
 Location: SW corner of Gannett Plaza Avenue and US Highway 1 (District 4)
 Acreage: 28.23 acres

Planning & Zoning Board: 11/18/2024
 Board of County Commissioners: 12/12/2024

Consistency with Land Use Regulations

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal would maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

| | CURRENT | PROPOSED |
|--|---|--|
| Zoning | BU-1 & BU-2 with CUP for 2COP for On-Premises Consumption | BU-1 & BU-2 with CUP for 4 COP for On-Premises Consumption |
| Potential* | FAR 1.0 | FAR 1.0 |
| Can be Considered under the Future Land Use Map | YES Community Commercial | YES Community Commercial |

* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations.

Background and Purpose of Request

The applicant is seeking a Conditional Use Permit (CUP) for Alcoholic Beverages for On-Premises Consumption (4COP) limited to the 57,128 sq. ft. building of the indoor family entertainment venue with outdoor patio as an accessory use. The plan doesn't identify the size of the outdoor patio for patron use but it does appear to be a 1,744 sq. ft. in area.

The indoor family entertainment center with outdoor patio has a Conditional Use Permit (CUP) Approved by the Board of County Commissioners (BoCC) for Alcoholic Beverages for On-Premises

Consumption of beer and wine only, per zoning application **20Z00007**. The CUP was unanimously approved with no formal recorded restrictions put in place.

Section 62-1906 requires an application for a CUP for Alcoholic Beverages for On-Premises Consumption in conjunction with a bar. This CUP request exceeds the Administrative Approval authority by staff.

The request is for 57,128 sq. ft. of the building located in Pineda part of Moses Reserve West of US Highway 1, per ORB 2568 PG 704. The parcel is currently zoned BU-1 and BU-2 with Community Commercial (CC) FLU designation.

The site has access to Gannett Plaza Avenue, a County maintained Right-of-Way which has access to US Highway 1, a State Maintained Right-of-Way.

The applicant included the approved site plan, 20AD00017, with the CUP application showing the overall developed site along with parking, ingress/egress on the parcel. On premises consumption of alcohol would be allowed on the entire property unless the Board stipulates any restrictions.

There have been no Code Enforcement complaints, nor cases related to the use since its inception.

The site has been zoned BU-1 and BU-2 since adoption of Zoning Resolution **Z-6913** on November 8, 1984. The BU-1 portion is the Easterly 250 foot depth of the lot with BU-2 zoning over the remainder of the property.

Land Use

The subject property is currently designated CC (Community Commercial). The BU-1 and BU-2 zoning classification can be considered consistent with the CC FLU designation.

Applicable Land Use Policies

FLUE Policy 2.2 – Role of Zoning Regulations in the Designation of Commercial Lands

The zoning process regulates the types and intensities of uses for a parcel of land. Criteria which aid in assessing zoning compatibility, shall include consideration of the following standards:

Criteria:

A. Permitted/prohibited uses;

Staff analysis: The owner proposes a CUP for Alcoholic Beverages for On-Premises Consumption accessory (4COP) for the indoor family entertainment venue with outdoor patio. The alcoholic beverage use is identified as a conditional use which means should the Board allow said use; it would be permitted on the property. If the Board denied the request, it would not be allowed on the property.

B. Existing commercial zoning trends in the area;

Staff analysis: There have been multiple commercial requests within the area which are further identified in the surrounding area analysis.

C. Compatibility of the proposed use with the area, pursuant to Administrative Policy 3;

Staff analysis: Located North of the subject property off Gannett Plaza Ave. is residential and Abutting South of the subject property is a Recreational Vehicle Park (RVP). The subject property needs to comply the Brevard County Performance Standard defined by Sections 62-2251 through 62-2272 for hours of operations, lighting, noise levels, traffic, and site activity in order to not cause any violations with the residential areas.

This CUP request, if approved, can be considered compatible based on the subject property having an indoor recreational use with outdoor patio dining and beverage consumption along with the BU-1 and BU-2 zoning with the adjacent commercial uses. Based on Brevard County records, the premises has had no complaints, nuisance issues or code enforcement cases since the inception in 2020. Based on this analysis, the addition of a 4 COP (Full Liquor) conditional use could be considered compatible with the character of the adjacent properties.

D. Impact upon Level of Service (LOS) standards for roads, potable water service, sanitary sewer service and solid waste disposal;

Staff analysis: The proposed CUP from a 2 COP (Beer and Wine) to a 4 COP (Full Liquor) is not anticipated to increase LOS of any of the above services.

The Board should evaluate the compatibility of this application within the context of the Board's Administrative Policies 1 through 8 of the Future Land Use Element, outlined in the Administrative Policies.

Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area.

Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use;

Staff analysis: Regarding the hours of operation, lighting, odor, noise levels, traffic or site activity, the proposed CUP will need to comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272. The Board may require additional conditions and/or limitations.

- B. Whether the proposed use(s) would cause a material reduction (five per cent or more) in the value of existing abutting lands or approved development.

Staff analysis: Only a certified MAI appraisal can determine if material reduction has or will occur due to the proposed request.

C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:

1. historical land use patterns;

Staff analysis: This property is currently developed as an indoor family entertainment venue with an outdoor patio area which has a 2COP for beer and wine only CUP(Conditional Use Permit) within the approved site planned area.

2. actual development over the immediately preceding three years; and

There have been numerous zoning actions within a half-mile radius of the subject property within the last three (3) years. The zoning actions include:

•**23Z00043**- a rezoning approved on September 7, 2023 from RU-2-10 (Medium Density Multi-Family Residential) and BU-2(Retail, Warehousing and Wholesale Commercial) to all BU-2; the change in zoning allows for the expansion of an existing restaurant with associated parking. The property is located on the East side of US Highway 1, immediately South of Rotary Park (Pineda Inn).

•**23SS00004**- Approved on August 3, 2023, for a Small Scale Comprehensive Plan Amendment changing the Future Land Use Designation from NC (Neighborhood Commercial) and CC (Community Commercial) to all CC and an accompanying zoning action **23Z00034**, changing the zoning classification from GU (General Use) and BU-1 (General Retail Commercial) to BU-2 (Retail, Warehousing and Wholesale Commercial) and a BDP with conditions. The property is located on the SW corner of US Highway 1 and Aspinwall Avenue.

•**23Z00008**- On May 4, 2023, Board of County Commissioners approved a zoning change from BU-1 (General Retail Commercial) and BU-2 (Retail, Warehousing and Wholesale Commercial) to PUD (Planned Unit Development), to allow for the development of an additional lot within the Pineda Landings Development. The 11.48 acre property was developed with 4 commercial plazas along North Wickham Road (Fresh Market Plaza), allowing for access through the commercial development to the PUD through a 'shared access easement'.

3. development approved within the past three years but not yet constructed.

Staff Analysis: There are no development approvals in the past three (3) years that have not been developed.

D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

Staff analysis: No material violation of relevant policies has been identified.

Analysis of Administrative Policy #4 - Character of a neighborhood or area.

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

Criteria:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types or intensity of traffic, parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.

The proposed use of an indoor family entertainment venue with an outdoor patio was established in 2021 with an approved Site Plan under 20AD00017 approved on October 11,2021. The requested intensification of the CUP is not anticipated to materially or adversely affect the surrounding developments.

- B. In determining whether an established residential neighborhood exists, the following factors must be present:
 - 1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.

The area has clear development patterns with well established boundaries, roads and open spaces. The subject property is located between US Highway 1, which is a commercial corridor, and FEC right-of-way.

- 2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.

Staff analysis indicates that the area is not residential in character.

- 3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

Staff analysis has determined the subject parcel is located directly on US Highway 1 in a predominantly commercial corridor.

Administrative Policy #5 - the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the use(s) shall be considered.

The proposed CUP will access US Highway 1 segment between Pineda Causeway (S.R.404) to Suntree Blvd. The maximum development potential from the proposed CUP increases the percentage of MAV utilization by 0.19%. The Lake Andrew Drive corridor is anticipated to operate at 84.64% of capacity daily. The request is not anticipated to create a deficiency in LOS.

Surrounding Area

| | Existing Use | Zoning | Future Land Use |
|--------------|----------------------------------|---------------|------------------------|
| North | Mixed uses-Office & Residential | BU-2, GU,TR-1 | NC |
| South | Recreational Vehicle Park | RVP | NC |
| East | US Highway 1 | N/A | N/A |
| West | Florida East Coast (FEC) Railway | N/A | N/A |

North of the subject property is 5 parcels, the first which is developed as Classic Wood Flooring, a commercial property, 1.03 acres and zoned BU-2 with NC FLU designation. The second parcel is 0.51 acres, developed with a single-family residence and zoned GU with NC FLU designation. The third parcel is 0.34 acres, developed with a single-family residence and zoned TR-1 with NC FLU designation. The fourth parcel is 0.19 acres, developed with a single-family residence and zoned GU with NC FLU designation. Lastly, the fifth parcel is 0.34 acres, developed with a single-family residence and zoned GU with NC FLU designation.

South of the subject property is a parcel, 24 acres in size, developed as 417 RV sites, Recreational Vehicle Park by Ameri-cana Resorts Co-Op and zoned RVP with NC FLU designation.

East of the subject property is US Highway 1, a State maintained Right of Way.

West of the subject property is Florida East Coast (FEC) Railway.

The subject property is has two zoning classifications: BU-1 and BU-2.

The BU-1 classification allows retail commercial land uses on minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling.

The BU-2 zoning classification permits retail, wholesale and warehousing commercial land uses on minimum 7,500 square foot lots. Possible incompatibilities are due to the intensive nature of commercial activities permitted by the BU-2 classification and possible noise, light, traffic and other nuisance factors potentially associated with BU-2 activities.

Preliminary Concurrency

The closest concurrency management segment to the subject property is US Highway 1 between Pineda Causeway (S.R.404) to Suntree Blvd., which has a Maximum Acceptable Volume (MAV) of 41,790 trips per day, a Level of Service (LOS) of D, and currently operates at 84.44% of capacity daily. The maximum development potential from the proposed CUP increases the percentage of

MAV utilization by 0.19%. The US Highway 1 corridor is anticipated to operate at 84.64% of capacity daily. The request is not anticipated to create a deficiency in LOS.

No school concurrency information has been provided as the development proposal is for commercial and not residential use.

The parcel is serviced by the City of Cocoa Utilities for public water. The property is serviced by Brevard County utilities for sewer.

Special Considerations for CUP (Conditional Use Permit)

The Board should consider the compatibility of the proposed CUP pursuant to Section 62-1151(c) and to Section 62-1901, as outlined on pages 6 – 8 of these comments. Section 62-1901 provides that the approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. **The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved.** The applicant's responses and staff observations, if any, are indicated below.

Section 62-1151(c) directs the Board to consider the character of the land use of the property and its surroundings; changes in the conditions of the land use being considered; impact upon infrastructure; compatibility with land use plans for the area; and appropriateness of the CUP based upon consideration of applicable regulations relating to zoning and land use within the context of public health, safety and welfare. The applicant has submitted documentation in order to demonstrate consistency with the standards set forth in Section 62-1901 and Section 62-1936, Land Alteration.

This request should be evaluated in the context of **Section 62-1906** which governs alcoholic beverages for on-premises consumption which states in, specifically 62-1906 (3) and (5):

- 3) Except for restaurants with more than 50 seats, no alcoholic beverages shall be sold or served for consumption on the premises from any building that is within 300 feet from the lot line of a school or church if the use of the property as a school or church was established prior to the commencement of the sale of such alcoholic beverages. For the purposes of this subsection, a school shall include only grades kindergarten through 12. For the purpose of establishing the distance between the proposed alcoholic beverage use and churches and schools, a certified survey shall be furnished from a registered engineer or surveyor. Such survey shall indicate the distance between the front door of the proposed place of business and all property lines of any church or school within 400 feet. Each survey shall indicate all such distances and routes.

Staff analysis: The owner/applicant has provided a survey which states that there are no churches or schools within 300 feet from the indoor family entertainment venue with outdoor patio to the lot line of a school or church and 400 feet between the front door of the proposed place of business and all property lines of any church or school within the area of this CUP request.

- 5) Imposition of additional operational requirements. When deemed appropriate, as based upon circumstances revealed through the general and specific standards of review set forth in this division, the Board shall have the option of imposing operational requirements upon an establishment approved for a conditional use for alcoholic beverages for on-premises

consumption. Requirements may include, but are not limited to, the following: maximum number of patrons; hours of operation; limitations upon outdoor seating and service of alcoholic beverages; limitations upon outside music and/or public address systems; additional buffering requirements; additional parking requirements; internal floor plan arrangement; or other specific restrictions based upon special neighborhood considerations. Additional requirements shall not exceed the limits of regulatory authority granted to local governments in the State Beverage Law, F.S. § 562.45.

Staff analysis: The applicant is requesting a CUP (Conditional Use Permit) for Alcoholic Beverages for On-Premises Consumption (4COP) limited to the 57,128 sq. ft. indoor family entertainment venue with an outdoor patio with bar/restaurant. The applicant states, “they are seeking a CUP for Alcoholic Beverages for On-Premises Consumption (4COP) to the existing building and outdoor patio as depicted on the site plan submitted with the application”.

Serving and consumption of food and beverages, alcohol or otherwise, shall be strictly prohibited outside of the existing building except as has been identified on the outdoor patio pursuant to Section 62-1837.9 (Outdoor restaurant seating) of Brevard County Code.

General Standards of Review

Section 62-1901(c)(1)(a): The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1) the number of persons anticipated to be using, residing or working under the conditional use; (2) noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3) the increase of traffic within the vicinity caused by the proposed conditional use.

Applicant’s Response: The premises is a family-oriented entertainment destination all under roof (i.e. arcades, video games and go-karts, ninja course and mini-bowling). The establishment will be offering beer, wine, and liquor for guests.

Staff analysis: The concept plan identifies the location of the proposed amusement uses within the primary building, as well as noting that the remainder of the primary building is supporting warehouse and office uses. The site does not identify what is occurring within the small outbuilding.

The proposed CUP will need to comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272. The request is not anticipated to create a deficiency in US Highway 1 traffic Level of Service (LOS).

Section 62-1901(c)(1)(b): The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.

Applicant’s Response: The location lies within the BU-2/BU-1 Zoning district with the rear of the building facing US Highway 1. Recreation is a prioritized use in these zoning districts. The conditional

use to allow for onsite consumption of beer, wine and liquor with the permitted indoor recreational development is compatible with the character of adjacent and nearby properties.

Staff analysis: The parcel is located in a Commercial area and has residential to the North across Gannett Plaza Ave. and South of the subject property across Aar Way is a Recreational Vehicle Park (RVP).

Section 62-1901(c)(1)(c): The proposed use will not cause a substantial diminution in value of abutting residential property. Note: A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15 percent reduction in value as a result of the proposed conditional use. A reduction of ten percent of the value of abutting property shall create a reputable presumption that a substantial diminution has occurred. The board of county commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by a MAI certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.

Applicant's Response: The proposed use as a family-oriented entertainment destination all under roof, is a permissible use in its current zoning district. The conditional use for on-site consumption of beer, wine and liquor to those patronizing the family-oriented entertainment destination. The subject property and the surrounding properties will not suffer a substantial diminution in property values with the approval.

Staff analysis: Competent and substantial evidence by a MAI certified appraiser has not been provided by the applicant.

Section 62-1901(c)(2)(a): Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1) adequate to serve the proposed use without burdening adjacent and nearby uses, and (2) built to applicable county standards, if any.

Note: Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20 percent, or ten percent if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at level of service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable county standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.

Applicant's Response: The property has ample parking and convenient flow as well as adequate ingress and egress. No new construction is being proposed. The indoor family entertainment destination is using 57,158 sq. ft. The on-site consumption of beer, wine and liquor will be limited to the same.

Staff analysis: This property has two access points identified on the concept plan. The change of use will not change substantially from the current use of the property as there is no

new construction and is only changing the CUP to serve beer, wine and liquor instead of beer and wine only.

Section 62-1901(c)(2)(b): The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.

Applicant's Response: No new construction is being proposed. There will be no audible noise from the premises. The use is totally enclosed except for an outdoor patio which is used for eating by attendees. Beer, wine and liquor consumption is not the primary use of the building.

Staff analysis: The CUP must be in compliance with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272. Any proposed outdoor lighting and noise standards should remain within code requirements, or a violation will be created.

Section 62-1901(c)(2)(c): Noise levels for a conditional use are governed by section 62-2271.

Applicant's Response: Noise levels will be within the permissible ranges set forth in the applicable county code.

Staff analysis: Proposed CUP includes outdoor areas and must comply with noise ordinance.

Section 62-1901(c)(2)(d) The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.

Applicant's Response: The proposed conditional use will not cause the level of solid waste service for the property, or the area, to be exceeded.

Staff analysis: The adopted level of service for solid waste disposal should not be affected by the change to CUP from a 2COP to a 4COP.

Section 62-1901(c)(2)(e): The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.

Applicant's Response: The proposed conditional use will not cause the level of potable water service for the property or the area, to be exceeded.

Staff analysis: The CUP should not exceed the adopted level of service for potable water or wastewater. Potable water and sewer capacity were approved during site plan (20AD00017) review.

Section 62-1901(c)(2)(f): The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.

Applicant's Response: The conditional use being requested for on-site sale and consumption of beer, wine and liquor for patrons coming to the fully enclosed family-oriented entertainment destination. An outdoor patio, as depicted on the sketch enclosed is located approximately 417 feet from the nearest neighboring property and is currently buffered/ screened by trees and Aar Way, then additional trees. All activities for the family-oriented entertainment destination, with the exception of the patio, which, due to distance, is adequately buffered from neighboring properties to prevent adverse nuisance, sight or noise impacts.

Staff analysis: An approved site plan demonstrated compliance of county codes and regulations. The CUP will need to meet these requirements.

Section 62-1901(c)(2)(g): Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to, traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.

Applicant's Response: The signs and exterior lighting does not cause unreasonable glare, hazard to traffic safety or interference with the use or enjoyment of adjacent or nearby properties.

Staff analysis: The parcel has an approved site plan, 20AD00017 which meet current code.

Section 62-1901(c)(2)(h): Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.

Applicant's Response: The proposed hours of operation are Mon-Thurs 11am-9pm, Fri 11am-11pm, Sat 10am-11pm and Sun 11am-9pm, which is consistent with the use and enjoyment of the properties in the surrounding area.

Staff analysis: The hours of operation of the commercial indoor recreational uses appear to be consistent with normal commercial operations. The Board may determine that additional measures may be necessary, the Board may wish additional stipulations as part of the request.

Section 62-1901(c)(2)(i): The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.

Applicant's Response: The height of the existing building is within the state limits.

Staff analysis: The applicant states that no new construction and no physical changes to the existing buildings are proposed; existing buildings appear to be in compliance with the county height standards which would allow up to a 60-foot-tall building. Current use of the property has an approved site plan under 20AD00017 from October 11, 2021.

Section 62-1901(c)(2)(j): Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence

to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

Note: for existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

Applicant's Response: The CUP for the on-site sale and consumption of beer, wine and liquor is within the 57,159 sq. ft of existing warehouse building. There are currently 200 on-site spaces provided on property for the current warehouse (331 spaces are provided for the overall business center). The commercial use of the 157,158 sq. ft. requires a minimum of 149 on-site parking spaces. There is and will continue to be sufficient on-site parking with the requested CUP.

Staff analysis: The parcel has an approved site plan 20AD00017 and impacts to parking should not be affected. At the time of the site plan approval, staff reviewed the parking calculations and determined that the number of parking spaces on site for the intended use was sufficient. No further parking analysis is required for the proposed change.

Environmental Constraints

No formal review by the Natural Resources Management Department is required for a CUP for on-premises consumption of alcoholic beverages. Natural Resources Management (NRM) reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

For Board Consideration

The Board may wish to consider the compatibility of the proposed CUP with the surrounding area. The Board may also wish to consider additional conditions beyond those cited in Sections 62-1901 and 62-1906 in order to mitigate any offsite impacts.