



**Take 5 Oil Change PSL
Special Exception Use Application
P21-031**



Project Location Map

SUMMARY

Applicant's Request:	Request to grant a special exception use for a Repair & Maintenance of Vehicles per the Section 158.260 of the City of Port St. Lucie Code of Ordinance.
Applicant:	Jake Seaton of CSC Properties, LLC
Property Owner:	James J. McGlone Jr.
Location:	Located on the northwest corner of Port St. Lucie and Darwin Boulevards
Project Planner:	Daniel Robinson, Planner II

Project Description

The subject property is currently vacant. The application is for approval of a future repair and maintenance of vehicles in the CG (General Commercial) Zoning District per Section 158.124 (C) (10) of the Zoning Code.

Previous Actions and Prior Reviews

The Site Plan Review Committee recommended approval at their regular meeting of September 22, 2021

Public Notice Requirements

The required public notice has been sent to property owners within 750 feet of the proposed project.

Location and Site Information

Property Size:	0.69 acres
Legal Description:	Cumberland Farms at Darwin and Port St. Lucie tract B
Future Land Use:	General Commercial (CG)
Existing Zoning:	General Commercial (CG)
Existing Use:	Vacant

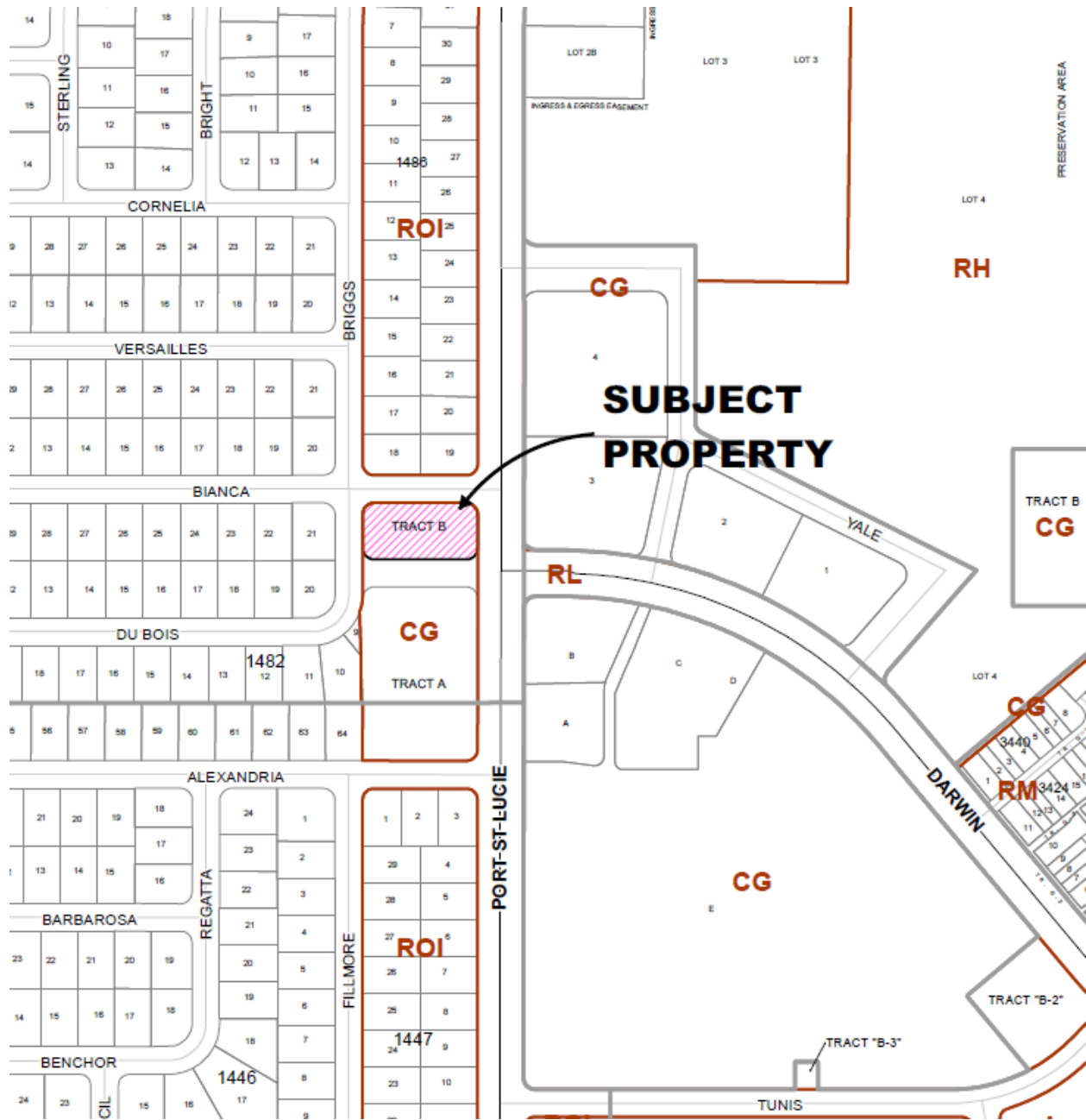
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	ROI	RS-2	Vacant
South	CG	CG	Gas station with convenience store
East	CG	CG	Gas station with convenience store & car wash
West	ROI	RS-2	Residential

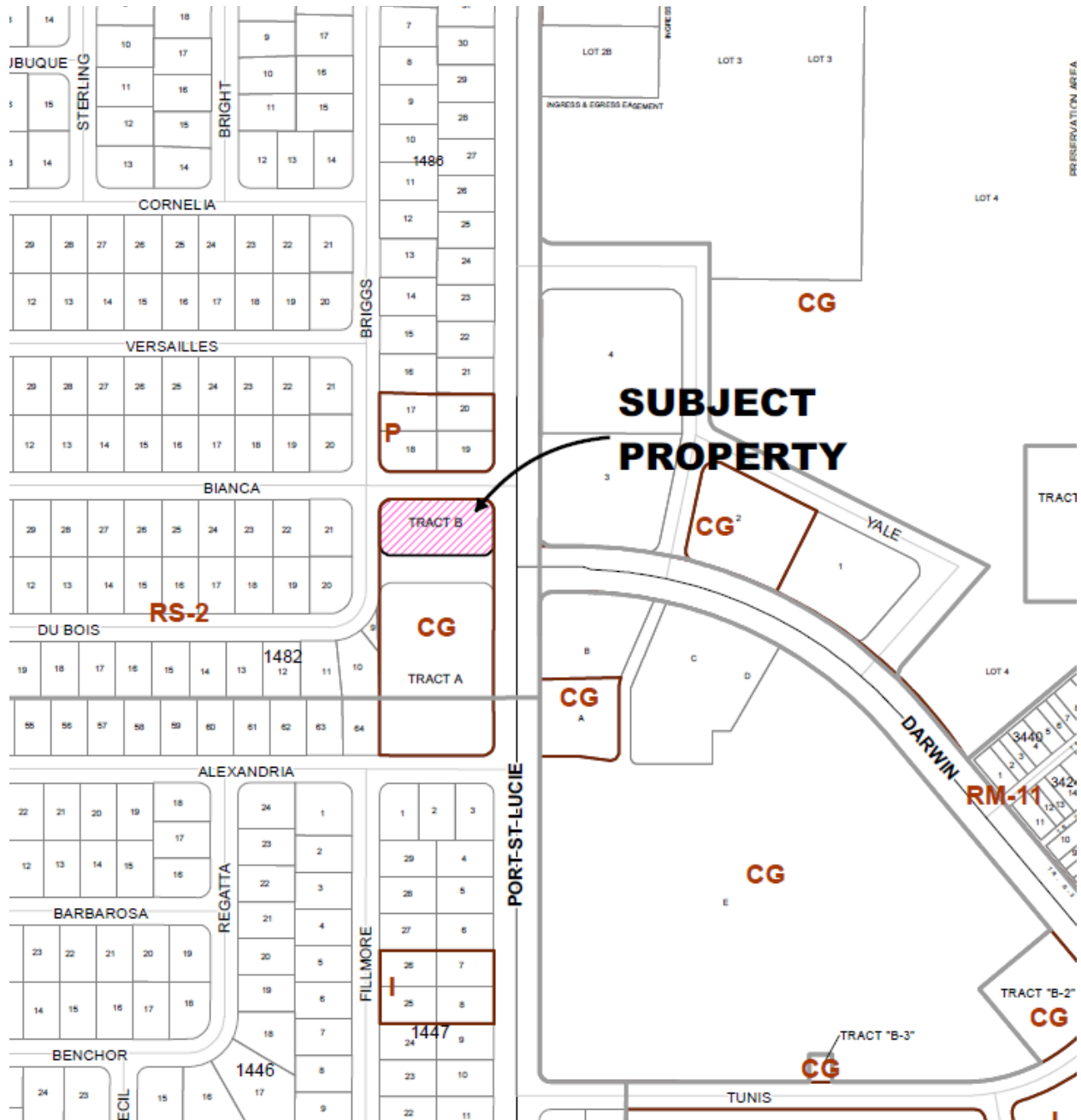
CG- General Commercial

ROI – Retail/Office/Institutional

RS-2 – Single Family Residential



Future Land Use



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 this criterion is attached separately. 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 emergencies.

- Staff findings: Adequate ingress and egress has been proposed as indicated on the proposed conceptual site plan submitted with this application.

(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: 9 parking spaces are required, and 9 parking spaces have been proposed.

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

- Staff findings: City of Port St. Lucie will provide adequate utilities to the site.

(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 required perimeter landscaping is being proposed.

(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 signs and lighting must adhere to the existing code regulations.

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

- Staff findings: The proposed yards and open space is adequate.

(G) The use as proposed will be in conformance with all stated provisions and requirements of this chapter.

- Staff findings: The use is in conformance with all stated provisions and requirements of this chapter

(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: Staff does not find any reason the establishment and operation of the proposed will 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 applicant has submitted a traffic impact analysis for review that was created by Kimley-Horn. The Public Works Department has reviewed and approved the submitted document and found it to be in compliance with the adopted level of service and requirements of Chapter 156 of City Code, and Public Works Policy 19-01pwd.
- Surrounding uses within one thousand (1,000) feet
 - Repair use – One (1)
 - Fuel stations – Three (3)
 - Car wash – Two (2)
 - Retail Convenience store – Three (3)
 - Drive-through – Five (5)

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:

Direction	Future Land Use	Zoning	Existing Use
North	ROI	RS-2	Vacant
South	CG	CG	Gas station with convenience store
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West	ROI	RS-2	Residential

(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: The applicant has acknowledged the statement.

(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: The property must abide by all zoning regulations of the zoning district.

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.

The Board may:

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with a proposed condition.

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.