

LETTER OF JUSTIFICATION Innovation Restaurant Hub

Variance Application
July 16, 2024

REQUEST

On behalf of the petitioner, Engineering Design & Construction, Inc. (EDC) is requesting approval of a variance from Section 5 (A) of the Tradition SG Phase 1 MPUD for a project to be known as Innovation Restaurant Hub. The proposed development is located south of SW Innovation Way and west of SW Village Parkway in Port St. Lucie, Florida. The petitioner is proposing a restaurant hub which includes four (4) restaurant buildings. An address is not yet assigned for this project. The parcel is 5.50 acres and the parcel information is noted below:

Parcel ID	Parcel Address	Acreage	Current FLU	Current Zoning
4315-609-0003-000-9	TBD	5.50	NCD	MPUD

SITE CHARACTERISTICS & PROJECT HISTORY

The subject site totals 5.50 acres and is currently undeveloped and cleared. The applicant is proposing the development of four (4) sit-down restaurant buildings with a combined gross square footage of 19,619 square feet with associated site improvements. A site plan was reviewed by SPRC on July 8, 2024. This application is being submitted to request for relief from Section 5 of the Tradition SG Phase 1 MPUD which states:

Section 5. Parking and Pedestrian Requirements

(A) Parking Requirements. Each building, use, or structure shall be provided with on-street and/or off-street parking and service facilities in accordance with the provisions set forth herein. The maximum number of parking spaces to be provided is limited to 125% of that required by the provisions set forth herein. On-street parking spaces directly and fully adjacent to a site and available to a development shall be counted toward the maximum.

The MPUD reflects the parking factor for stand-alone restaurants at 1 space per 100 sq. ft. There are four (4) stand-alone restaurants proposed on the subject site. Required parking per the MPUD totals 196 spaces. The MPUD would allow for the maximum parking spaces of 245. The applicant is proposing 326 spaces to serve the proposed restaurants which exceeds the required parking requirements by approximately 1.66%.

The subject property has a Future Land Use designation of New Community Development (NCD) and an underlying Zoning designation of Master Planned Unit Development (MPUD).

To the north of the subject property lies the right-of-way of SW Innovation Way followed by a developed commercial parcel. This parcel has a Future Land Use designation of New Community Development (NCD) and an underlying Zoning designation of Master Planned Unit Development (MPUD).

To the south of the subject parcel is a developed stormwater tract owned and maintained by the CDD. This parcel has a Future Land Use designation of New Community Development (NCD) and an underlying Zoning designation of Master Planned Unit Development (MPUD).

To the east of the subject parcel lies the right-of-way of SW Village Parkway followed by developed commercial parcels. These parcels have a Future Land Use designation of New Community Development (NCD) and an underlying Zoning designation of Master Planned Unit Development (MPUD).

West of the subject parcel is a multi-family development. This parcel has a Future Land Use designation of New Community Development (NCD) and an underlying Zoning designation of Master Planned Unit Development (MPUD).

VARIANCE REQUIREMENTS

Section 158.295 (B) of the Port St. Lucie Land Development Code identifies the requirements for variance requests. The attached variance application meets all of the requirements of Section 158.295.

1. Please explain the special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

RESPONSE: The applicant is proposing four (4) stand-alone restaurants to serve the community which include a Bonefish Grille, First Watch and Outback Steakhouse. The fourth (4th) restaurant is not yet determined.

Other MPUD's in the area do not have this requirement outlined and one (1) in particular, Tradition Commerce Park North Amendment 1 was revised to remove this statement from Section 4 of the MPUD. See below:

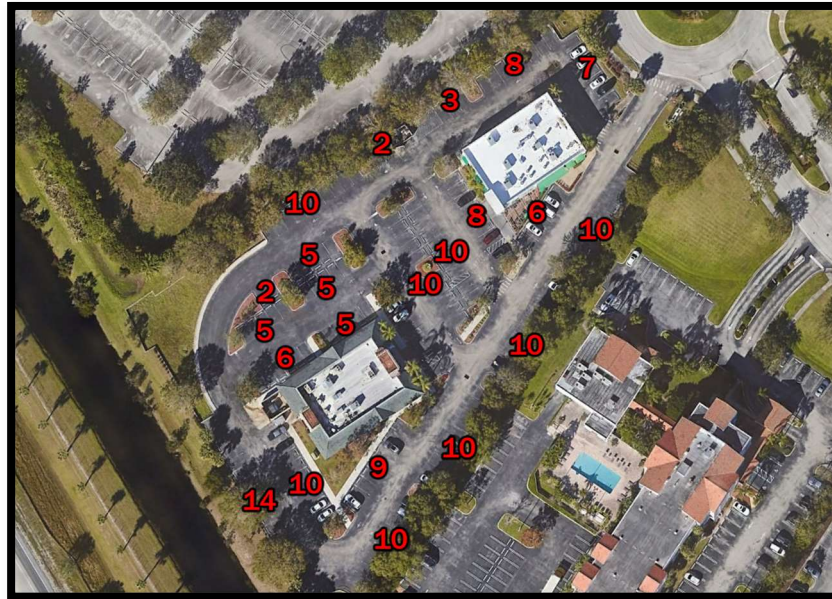
Section 4. Parking, and Pedestrian Requirements, and Loading Area Requirements

(A) Parking Requirements. Each building, use, or structure shall be provided with on-street and/or off-street parking and service facilities in accordance with the provisions set forth herein. To the extent that a use is not identified below, the parking requirements shall be in accordance with Chapter 158, Code of Ordinances. ~~The maximum number of parking spaces to be provided is limited to 125% of that required by the provisions set forth herein.~~ On-street parking spaces directly and fully adjacent to a site and available to a development shall be counted toward the maximum.

There is a great need in the area for a restaurant hub such as what being proposed. We feel that the parking proposed will meet the needs of the proposed development. The applicant has coordinated with the tenants of each building for which they have outlined their parking requirements. The requirements of each

tenant is much larger than what the MPUD allows.

We reviewed another Outback and Hibachi restaurant in St. Lucie West. This area with two (2) restaurants has 165 parking spaces. With only two (2) restaurants being served by these parking stall, it is known that parking is very limited during business hours.



2. Please explain if these conditions are circumstances result from actions by the applicant.

RESPONSE: The conditions of the site are not a result of actions by the applicant. The MPUD was drafted to allow for parking spaces to not exceed 125% of the required parking spaces for all uses outlined in the MPUD. The proposed use requires more parking to serve the development than other uses outlined in the PUD.

3. Please explain how granting the variance requested will not confer on the applicant special privilege that is denied by this chapter on other lands, buildings or structures in the same zoning.

RESPONSE: Other MPUD's within Tradition and Southern Grove have been revised to remove the language as noted in Section 5(A). Due to this, we feel that a precedence has been set for other developments in the area which were not capped at 125% of the required parking spaces.

4. Please explain how a literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant.

RESPONSE: Other MPUD's in the area do not have this requirement outlined and one (1) in particular, Tradition Commerce Park North Amendment 1 was revised to remove this statement from Section 4 of the MPUD. See below:

Section 4. Parking, and Pedestrian Requirements, and Loading Area Requirements

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Additionally, Section 158.221(C) of the Port St. Lucie Land Development Code calculates parking requirements for restaurants at one (1) space for each two hundred (200) square feet of gross floor area, with a minimum of twenty (20) spaces. Restaurants with drive- through free standing and outparcels one (1) space per seventy-five (75) square feet of gross floor area. It does not note a cap to the number of proposed parking spaces for restaurant uses.

5. Please illustrate and explain if the variance request is the minimum variance that will make possible for reasonable use of the land, building or structure.

RESPONSE: There is a great need in the area for a restaurant hub such as what being proposed. We feel that the parking proposed is the minimum needed to serve the proposed development. The applicant has coordinated with the tenants of each building for which they have outlined their parking requirements. The requirements of each tenant is much larger than what the MPUD allows.

6. Please indicate how granting variance will be in harmony with the general intent and purpose of the chapter and that granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

RESPONSE: There is a great need in the area for a restaurant hub such as what is being proposed. The request for a variance for the maximum parking spaces will not be injurious to the area involved or detrimental to the public welfare. The development of this restaurant hub will allow residents in this area to dine in their neighborhood reducing trips on other roadway networks.

7. Please indicate that there will be full compliance with any additional comments and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits which the action for which variance is required shall be begun or completed, or both.

RESPONSE: Acknowledged.

Based on the above and attached information, the applicant respectfully requests approval of the proposed application.

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