

City of Port St. Lucie

121 SW Port St. Lucie Blvd.
Port St. Lucie, Florida 34984



"A City for All Ages"

Meeting Agenda

Request to Table Item 8A and 8E

Tuesday, November 7, 2023

6:00 PM

Council Chambers, City Hall

Planning and Zoning Board

Deborah Beutel, Chair, Term 2 Expires 6/21/25

Alfreda Wooten, Vice Chair, Term 2 Expires 5/28/27

Carol Taylor-Moore, Secretary, Term 1 Expires 9/27/25

Peter Previte, At-Large, Term 1 Expires 7/12/25

Roberta Briney, At-Large, Term 1 Expires 7/12/25

Eric Reikenis, At-Large, Term 1 Expires 11/1/26

Melody Creese, Alternate, Term 1 Expires 11/1/26

Peter Louis Spatara, Alternate, Term 1 Expires 5/8/2027

Please visit www.cityofpsl.com/tv for new public comment options.

1. Meeting Called to Order**2. Roll Call****3. Determination of a Quorum****4. Pledge of Allegiance****5. Approval of Minutes**

5.a Approval of Minutes - October 3, 2023

[2023-1016](#)

6. Consent Agenda**7. Public Hearings - Non Quasi-Judicial**

7.a P23-182 City of Port St. Lucie - Large Scale Comprehensive Plan Text Amendment to the Transportation Element - Mobility

[2023-1019](#)

This is a City initiated large scale text amendment to the Transportation Element of the City Comprehensive Plan to add a goal, objectives and policies regarding the implementation of the 2045 Mobility Plan.

7.b P23-187 A City Initiated Text Amendment to Title XI - Business Regulations, Chapter 110.02

[2023-1022](#)

This is a request to amend Section 110.02 'Proximity to religious institution or school'.

7.c P23-134 Toscana SLC, LLC - Small-Scale Comprehensive Plan Amendment

[2023-1018](#)

Location: 9871 S US Highway 1, south of Lyngate Drive and on the west side of US Highway 1

Legal Description: Second Replat of Tract E South Port St Lucie Unit 15, Tract 3.

This is a request to change the future land use designation of a 1.55 acres property from High Density Residential/General Commercial/Open Space-Conservation (RH/CG/OSC) to High Density Residential/Service Commercial (RH/CS).

8. Public Hearing - Quasi-Judicial

- 8.a** P23-130 Chick-Fil-A @ SLW - Variance [2023-1021](#)
Location: 1611 NW St. Lucie West Boulevard.
Legal Description: Parcel I: Lot 1, St. Lucie West Plat No. 194, According to The Map or Plat Thereof, As Recorded in Plat Book 73, Pages 19 And 20, of The Public Records of St. Lucie County, Florida.
Parcel II: Together With Those Certain Non-Exclusive Easements Contained in That Certain Access Easement Agreement by And Between Bank of America, National Association and RG SLW, LLC, Recorded in Official Records Book 4136, Page 1291, of The Public Records of St. Lucie County, Florida.
This is a request to grant a variance of a reduction in the required parking spaces to allow for an addition of a second lane to the existing queuing drive-through lane.
- 8.b** P23-133 Saint Lucy Properties, LLC. - The Malachi Academy - Special Exception Use (Application Withdrawn) [2023-1040](#)
Location: On the south side of NW University Boulevard, west of the roundabout on NW California Boulevard and east of Piazza Drive.
Legal Description: University Park, St. Lucie West Plat No. 143, second replat in Parcel 21D, Lot 7
This is a request for a special exception use to allow a private school.
- 8.c** P23-149 Omega Baptist Church of Pentecost Inc. - Rezoning [2023-898](#)
Location: East of Port St. Lucie Boulevard., between SW Aster Rd. & SW Greco Ln.
Legal Description: Port St. Lucie, Sec. 5, Blk. 1662, Lots 9, 10, 11, 15, & 16
This is a request to rezone the property from Institutional to Professional Zoning.
- 8.d** P23-162 Scarcella, Mirko - Variance [2023-1017](#)
Location: 1856 SW Kimberly Ave
Legal Description: Port St. Lucie Section 20, Block 314, Lot 8
This is a request for a variance of 3.4 feet to allow a 6.6-foot side yard setback for an existing outdoor kitchen and barbecue.
- 8.e** P23-170 Western Grove DRI - 4th Amendment - Map H [2023-1020](#)
Amendment
Location: The property is generally located south of the future extension of Crosstown Parkway, north of the future extension of SW Discovery Way, east of Range Line Road and west of SW Community Boulevard.
Legal Description: A parcel of land lying in Sections 5, 6, 7, 8, 17 and 18, Township 37 South, Range 39 East.
This is an application for the 4th Amendment to the Western Grove DRI to modify Map H, the master development plan.

- 8.f** P23-177 2300 Veterans Highway, LLC. - Rezoning [2023-1036](#)
Location: On the northwest corner of Rivergate Parkway and west of SE Veterans Memorial Parkway.
Legal Description: Rivergate Office Plaza- First Replat- Lot 1.
This is a request to rezone from Planned Unit Development (PUD) zoning district to General Commercial (CG) zoning district.
- 8.g** P23-178 Ceppetelli - Rezoning [2023-1013](#)
Location: Southeast corner of SW Port St. Lucie Boulevard and SW McCall Road.
Legal Description: Port St. Lucie Section 21, Block 2084, Lots 1, 2 and 3
This is a request to rezone 0.76 acres of land from Institutional (I) to Multi-Family Residential (RM-5) Zoning District.

9. New Business

10. Old Business

11. Public to be Heard

12. Adjourn

Notice: No stenographic record by a certified court reporter will be made of the foregoing meeting. Accordingly, any person who may seek to appeal a decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at said meeting upon which any appeal is to be based.

Notice: In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the City Clerk's office at (772) 871-5157 for assistance.

As a courtesy to the people recording the meeting, please put your cell phone on silent.



Agenda Summary

2023-1016

Agenda Date: 11/7/2023

Agenda Item No.: 5.a

Placement: Minutes

Action Requested: Motion / Vote

Approval of Minutes - October 3, 2023

Submitted By: Pat Shutt, Administrative Assistant, Planning & Zoning Department

Executive Summary: October 3, 2023 meeting minutes are attached.

Presentation Information: N/A

Staff Recommendation: Move that the Board approve the minutes.

Alternate Recommendations:

1. Move that the Board amend the recommendation and approve the minutes with changes.
2. Move that the Board not approve the minutes and provide staff direction.

Background: N/A

Issues/Analysis: N/A

Special Consideration: N/A

Location of Project: N/A

Attachments: October 2, 2023 Meeting Minutes.

City of Port St. Lucie
Planning and Zoning Board
Meeting Minutes - Draft

121 SW Port St. Lucie
Blvd.
Port St. Lucie, Florida
34984

Deborah Beutel, Chair, Term 2 Expires 6/21/25
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Peter Louis Spatara, Alternate, Term 1 Expires 5/8/2027

Please visit www.cityofpsl.com/tv for new public comment options.

Tuesday, October 3, 2023	6:00 PM	Council Chambers, City Hall
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1. Meeting Called to Order

A Regular & Virtual Meeting of the PLANNING AND ZONING BOARD of the City of Port St. Lucie was called to order by Vice Chair Wooten at 6:00 p.m., on October 3, 2023, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Council Chambers, Port St. Lucie, Florida & via Zoom.

2. Roll Call

Members Present:

Deborah Beutel, Chair (via Zoom and joined at 6:07 p.m.)

Alfreda Wooten, Vice Chair

Carol Taylor-Moore, Secretary

Roberta Briney

Peter Previte

Eric Reikenis

Peter Spatara, Alternate

Non-Voting Members Present:

Nicole Fogarty, St. Lucie County School District

3. Determination of a Quorum

Vice Chair Wooten confirmed that there was a quorum.

4. Pledge of Allegiance

Vice Chair Wooten led the assembly in the Pledge of Allegiance.

5. Approval of Minutes

5.a Approval of Minutes - September 5, 2023[2023-894](#)

Secretary Taylor-Moore moved to approve the minutes. Ms. Briney seconded the motion which passed unanimously by roll call vote.

6. Consent Agenda

There was nothing scheduled under this item.

7. Public Hearings - Non Quasi-Judicial

There was nothing scheduled under this item.

8. Public Hearing - Quasi-Judicial

The Deputy City Attorney read the Quasi-Judicial Rules into the record for Items 8 a.) through c.) and the Deputy City Clerk swore in staff and the applicants.

8.a P22-278 LTC Ranch (West) Residential - Planned Unit Development (PUD) Amendment[2023-782](#)

Location: The property is located south of Midway Road and northwest of Glades Cut Off Road.

Legal Description: All of the residential lots and tracts within said residential area together with Tract "B" of the LTC Ranch Phase 1 plat and Tract "A1" of the LTC ranch West Phase 2 plat.

This is a request to amend the conceptual plan and zoning regulation document.

Vice Chair Wooten inquired if there were any ex-parte communications, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Anne Cox, Planning & Zoning Assistant Director, stated that she had been sworn in & stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. She explained that the applicant was requesting approval of a Planned Unit Development (PUD) amendment to amend the conceptual plan to remove a 3.9-acre wetland, update some standards and the legal description. She gave background on the item, explained the surrounding uses and showed a location map & the proposed Conceptual Plan. She informed the Planning & Zoning Board that the amendment was consistent with the City's Comprehensive Plan and added that the Site Plan Review Committee had recommended approval.

Matt Yates, Lucido & Associates, stated that he had been sworn in. He added that the modification of the wetlands was to accommodate for a development program and the other changes were simple cleanup.

Vice Chair Wooten opened the Public Hearing, there being no one to

she closed the Public Hearing.

Mr. Reikenis moved to approve P22-278, LTC Ranch (West) Residential, Planned Unit Development (PUD) Amendment. Ms. Briney seconded the motion which passed unanimously by roll call vote.

8.b P23-149 Omega Baptist Church of Pentecost Inc. - Rezoning [2023-898](#)

Location: East of Port St. Lucie Boulevard., between SW Aster Rd. & SW Greco Ln.

Legal Description: Port St. Lucie, Sec. 5, Blk. 1662, Lots 9, 10, 11, 15, & 16

This is a request to rezone the property from Institutional to Professional Zoning.

Vice Chair Wooten inquired if there were any ex-parte communications, to which the Board responded in the negative.

Bianca Lee, Planner II, stated that she had been sworn in & stated that the file was submitted to the City Clerk’s Office 5 days prior to the meeting and requested that it be entered into the record. She inquired if the applicant was present, to which there was no response.

There being no applicant present Mr. Reikenis moved to table P23-149, Omega Baptist Church of Pentecost Inc., Rezoning to the November 7, 2023 Planning & Zoning meeting. Secretary Taylor-Moore seconded the motion which passed unanimously by roll call vote.

8.c P23-156 Sympatico Landscape Buffer Wall - Landscape Modification [2023-897](#)

Modification

Location: North of SW Darwin Boulevard and east of SW Port St. Lucie Boulevard

Legal Description: Sympatico Plaza, Lot 4

This is a request to waive the requirement for an architectural buffer wall and substitute landscaping in lieu of a wall on the north and east side of the property per Section 154.12 of the Landscape and Land Clearing Code.

Vice Chair Wooten inquired if there were any ex-parte communications, to which the Board responded in the negative.

(Clerk’s Note: A PowerPoint was shown at this time.) Francis Foreman, Planner II, stated that he had been sworn in & stated that the file was submitted to the City Clerk’s Office 5 days prior to the meeting and requested that it be entered into the record. He informed the Board that the property abutted a residential property, but the applicant was requesting to forego the 6-foot wall and use the 4.55-acres of upland preserve in lieu of the architectural wall. He showed a location map, an aerial, a Landscape

Modification Plan, and the Landscape Elevation Plan.

(Clerk’s Note: A PowerPoint was shown at this time.) Steve Garrett, Lucido & Associates, informed the Board that he was proposing to remove the wall only along the Preservation Tract.

Vice Chair Wooten opened the Public Hearing. Robert Derocher spoke on his concerns regarding the location of the wall and the maintenance of the wall.

Karen Saryeldin informed the Board that her backyard faced the Preserve and hoped that the Uplands would be preserved.

Tina Derocher spoke against high density properties and requested a wall.

Vice Chair Wooten closed the Public Hearing. Steve Garrett responded to the residents’ questions/concerns.

Mr. Reikenis moved to approve P23-156, Sympatico Landscape Buffer Wall, Landscape Modification. Ms. Briney seconded the motion which passed unanimously by roll call vote.

9. New Business

- 9.a Planning and Zoning Board Member of the Site Plan Review Committee [2023-792](#)

Chair Beutel moved to appoint Ms. Briney as a member of the Site Plan Review Committee and Mr. Previte as the alternate. Mr. Reikenis seconded the motion, which passed unanimously by roll call vote.

- 9.b General Board and Committees Operating Procedures [2023-913](#)
 This is an informational item on new operating procedures for Boards and Committees.

(Clerk’s Note: This item was heard after Item 5a.) Frank Moehrle, Deputy City Attorney, informed the Board that the City Council had streamlined all Boards & Committees by passing a new Board Resolution and he explained the new procedures.

10. Old Business

There was nothing scheduled under this item.

11. Public to be Heard

There was nothing heard under this item.

12. Adjourn

There being no further business, the meeting was adjourned at 6:31 p.m.

Carol Taylor-Moore, Secretary

Shanna Donleavy, Deputy City Clerk



Agenda Summary

2023-1019

Agenda Date: 11/7/2023

Agenda Item No.: 7.a

Placement: Public Hearing - Non Quasi Judicial

Action Requested: Motion / Vote

P23-182 City of Port St. Lucie - Large Scale Comprehensive Plan Text Amendment to the Transportation Element - Mobility

This is a City initiated large scale text amendment to the Transportation Element of the City Comprehensive Plan to add a goal, objectives and policies regarding the implementation of the 2045 Mobility Plan.

Submitted By: Bridget Kean, AICP, Deputy Director

Executive Summary: This is a City initiated application to amend the City's comprehensive plan. The application will amend the goals, objectives, and policies of the Transportation Element to reflect of the City's adoption of a mobility plan and a mobility fee. The proposed amendment will delete Policy 2.4.1.5 and add Goal 2.7, Objective 2.7.1, Policies 2.7.1.1.to 2.7.1.5, Objective 2.7.2, and Policies 2.7.2.1 to 2.7.2.4. Policy 2.4.1.5 is proposed for deletion because it no longer needed. The policy states that the City may consider the adoption a mobility fee to fund alternative modes of transportation. Since the fee has already been adopted, the policy is outdated. Goal 2.7 and subsequent objectives and policies support the transition from a concurrency based transportation system to a mobility based transportation system that emphasizes multimodal transportation options and the movement of people over vehicles.

Presentation Information: Staff may provide a short presentation.

Staff Recommendation: Move that the Board recommend approval the proposed amendment as recommended by the Planning and Zoning Department.

Alternate Recommendations:

1. Move that the Board amend the recommendation and recommend approval of the proposed amendment.
2. Move that the Board not recommend approval and provide staff direction.

Background: The proposed amendment was prepared with assistance with the City's mobility consultant, the City's transportation consultant and the Public Works Department to incorporate the 2045 Mobility Plan considerations into the Comprehensive Plan at a high level. The City's comprehensive plan will be further amended to address mobility when the City undertakes a complete update of its comprehensive plan, including the transportation element, in 2024.

Issues/Analysis: See attached staff report.

Special Consideration: N/A

Location of Project: N/A

Attachments:

1. Staff Report
2. Exhibit "A" Proposed Text Amendment to the Transportation Element
3. Staff Presentation



Large Scale Comprehensive Plan Text Amendment Application
Transportation Element - Mobility
Project No. P23-182

SUMMARY

Request:	A large scale comprehensive plan text amendment to the Transportation Element of the City’s comprehensive plan.
Applicant:	City of Port St. Lucie
Application Type:	Large Scale CPA Text Amendment
Project Planner:	Bridget Kean, AICP, Senior Planner

Project Description and Proposed Amendment

This is a City initiated application to amend the City’s comprehensive plan. The application will amend the goals, objectives, and policies of the Transportation Element to reflect of the City’s adoption of a mobility plan and a mobility fee. The proposed amendment will delete Policy 2.4.1.5 and add Goal 2.7, Objective 2.7.1 Policies 2.7.1.1.to 2.7.1.5, Objective 2.7.2 and Policies 2.7.2.1 to 2.7.2.4. Policy 2.4.1.5 is proposed for deletion because it no longer needed. The policy states that the City may consider the adoption a mobility fee to fund alternative modes of transportation. Since the fee has already been adopted, the policy is outdated. Goal 2.7 and subsequent objectives and policies support the transition from a concurrency based transportation system to a mobility based transportation system that emphasizes multimodal transportation options and the movement of people over vehicles.

The proposed amendment was prepared with assistance from the City’s mobility consultant, the City’s transportation consultant, and the Public Works Department. The City’s comprehensive plan will be further amended to address mobility when the City undertakes a complete update of its comprehensive plan in 2024.

The proposed revisions to the Goals, Objectives, and Policies of the Transportation Element are provided as Exhibit “A” with additions shown as underlined and deletions shown as ~~striketrough~~.

ANALYSIS:

In 2020, the City amended the Transportation Element of the Comprehensive Plan to consider the adoption of a mobility fee to fund multimodal capital improvements to encourage walking, bicycling, transit ridership, and the efficient use of the transportation system. In 2021, the City adopted the Port St. Lucie Mobility Plan and a Mobility Fee Ordinance to replace transportation concurrency and the City’s roadway impact fee program. The mobility plan was prepared by NUE Urban Concepts, LLC.

Following the Planning and Zoning Board hearing, the proposed amendment will be scheduled for a transmittal hearing before the City Council. If the Council approves the amendment, it will be transmitted to the state land planning agency, Department of Commerce, for review and comment. Following state review, the adoption hearing for the proposed amendment will be scheduled before the City Council.

STAFF RECOMMENDATION

The Planning and Zoning Department staff finds the petition to be consistent with the intent and direction of the City's comprehensive plan and recommends approval as provided for in Exhibit "A" with additions shown as underlined and deletions shown as ~~striketrough~~.

Planning and Zoning Board Action Options:

- Motion to recommend approval to the City Council
- Motion to recommend denial to the City Council

Please note: 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.

Exhibit “A”
Proposed Text Amendment to Transportation Element

GOALS, OBJECTIVES, AND POLICIES

The Goals, Objectives and Policies section for the Transportation Element establish the long term end towards which traffic circulation and mass transit programs and activities are ultimately directed. For this reason, input on the Goals, Objectives and Policies was received from various sources such as the public, local agencies, and the local government in the City of Port St. Lucie.

GOAL 2.1: TO PROVIDE SAFE AND EFFICIENT MOVEMENT OF PEOPLE AND GOODS, AT REASONABLE COST AND MINIMUM DETRIMENT TO THE ENVIRONMENT.

Objective 2.1.1: The City's roadway transportation system shall be reviewed annually in coordination and consistent with changes to the Future Land Use Element. A report on the status of the system and impacts on the system by proposed land use changes shall be prepared.

Policy 2.1.1.1: Develop an annual report on the level of service provided on the City roadway system and identify improvement needs and costs to provide the levels of service.

Policy 2.1.1.2: In coordination with the Florida Department of Transportation, St. Lucie Transportation Planning Organization (TPO), Florida Department of Economic Opportunity and Treasure Coast Regional Planning Council annually review the transportation network and define any Special Interest Areas that may warrant LOS standards lower than those listed in Policies 2.1.2.7 and 2.1.2.8.

Policy 2.1.1.3: Facilities currently operating at conditions below those standards listed in Policy 2.1.2.7 shall be maintained at least at their current LOS through development order conditions for roadway improvements within the radius of influence of a proposed development. The radius of influence for a given development shall be further defined in the City's Land Development Regulations traffic monitoring provisions. Radius of influence or study area will be defined using a comparison of project traffic to thresholds of the percentage of the maximum service flow rate at an established LOS criterion.

Policy 2.1.1.4: Maintain our existing signal inventory study for all roads for which Port St. Lucie has operational, maintenance and jurisdictional responsibility as a basis for implementing the 2010 Highway Capacity Manual city-wide.

Policy 2.1.1.5: Coordinate with the St. Lucie TPO a regular review of accident data and identify above average accident locations. Prepare a report every two years on high accident locations including proposed corrective measures and costs.

Objective 2.1.2: Existing and future roadway deficiencies based on standards established in this plan shall be mitigated through a continuous roadway improvement program.

Policy 2.1.2.1: In coordination with the St. Lucie TPO, continue to develop and implement a Transportation Improvement Program (TIP) that is consistent with the goals and policies of this plan.

Policy 2.1.2.2: Review all proposed development for consistency with the goals, objectives, and policies of this plan and require coordination of traffic circulation plans and improvements with land use, right-of-way and infrastructure plans, before development approval. Traffic circulation plans shall address the mitigation of all potential project impacts on the roadway system.

Policy 2.1.2.3: Review access points and driveways associated with development to assure safety and compatibility with the existing and future roadway network. Impose requirements for conformity as a condition of development approval based on the City's existing access standards, which are equal to or greater than those of FDOT. New development shall attempt to accommodate more than one access point.

Policy 2.1.2.4: Review on-street parking to assure adequate sight distance to provide safe entry and exit for all new development and roadway projects.

Policy 2.1.2.5: Consider an equitable pro rata share of the costs to provide roadway improvements to serve new development as credit for required impact fees.

Policy 2.1.2.6: Maintain the operation of the roadway network at or above the LOS standards as listed in Policy 2.1.2.7.

Policy 2.1.2.7: The City adopts the following level of service standards for SIS and non SIS facilities:

MINIMUM LEVEL OF SERVICE STANDARDS

Facility Type (Non SIS)	LOS Standard
Collector	D
Minor Arterial (Urban)	E *
Primary Arterial (Urban)	E *
State Highway (Urban)	D
Limited Access Facility (Urban)	D

(Level of service for roadways shall be determined based on peak hour traffic conditions.)

LEVEL OF SERVICE STANDARDS

Facility Type

Transportation Deficient Facilities
 Constrained Facilities

Standards

maintain & improve
 maintain*

*Transportation System Management and Transportation Demand Management measures will be used to maintain and improve traffic flow.

SIS Facilities Level of Service Standards

SIS Roadway Corridors	Roadway Segment	LOS Standard
I-95	Martin County Line to Gatlin Boulevard	D
I-95	Gatlin Boulevard to St. Lucie Boulevard	D
I-95	St. Lucie Boulevard to Midway Road	D
Florida's Turnpike	Martin County Line to Becker Road	D
Florida's Turnpike	Becker Road to Port St. Lucie Boulevard	D
Florida's Turnpike	Port St. Lucie Boulevard to SR 70/ Okeechobee Rd	D

Policy 2.1.2.8: In coordination with FDOT, designate as constrained facilities those roadways in the City which operate below acceptable levels of service and where capacity improvements are not feasible due to physical or policy barriers.

Policy 2.1.2.9: New development and redevelopment must demonstrate that the adopted roadway level of service can be maintained in the buildout year of the development. A traffic study prepared by a registered Professional Engineer shall be provided to the City identifying existing and future traffic volumes at buildout of the development, as well as recommendations for roadway improvements, if any. For those projects that cannot meet the concurrency requirement for transportation, Article V – Offsite Improvements of the City’s Land Development Regulations includes the provision for the use of “proportionate fair-share mitigation for transportation facilities” consistent with Florida Statute 163.3180.

Policy 2.1.2.10: Up to the fiscal year indicated for improvements, operating conditions for transportation deficient or constrained facilities may be maintained or improved through Transportation System Management and Transportation Demand Management measures.

Policy 2.1.2.11: Provide timely resurfacing and repair of roads and bridges to minimize costly reconstruction and enhance safety.

Policy 2.1.2.12: The City shall not be required to stop issuance of final development orders for projects which affect transportation deficient county or state roads outside of City jurisdiction.

Policy 2.1.2.13: The City may consider the establishment of a multimodal quality level of service standards that includes bicycle facilities including bicycle lanes, pedestrian facilities, and transit in addition to vehicular roadway capacity level of service standards. The City should coordinate with the FDOT, St. Lucie County, and the St. Lucie County TPO in developing planning studies in the feasibility of a multimodal quality level of service standards.

Policy 2.1.2.14: The City will continue to evaluate and revise the existing Land Development Regulations to be in compliance with Florida Statutes on all transportation related regulations.

Objective 2.1.3: Acquire the right-of-way needed for the future roadway network based upon the Regional Long Range Transportation Plan and the future land use element of this plan.

Policy 2.1.3.1: Prohibit encroachment of development and required setbacks into established present and future rights-of-way and within the law require dedication of right -of-way through development orders issued by the City.

Policy 2.1.3.2: Review proposed development plans for impact on the future land use plan and assess the capacity needs of each project as it relates to the thoroughfare right-of-way protection plan by requiring a traffic impact analysis.

Objective 2.1.4: The City should reduce greenhouse gases by promoting increased usage of transit, improved bicycle and pedestrian facilities, and more efficient roadways.

Policy 2.1.4.1: The City may seek to secure and utilize TRIP funds for transportation related projects when funds are made available.

Policy 2.1.4.2: The City may work with the County in budgeting and planning Transportation Demand Management (TDM) and Transportation System Management (TSM) measures to reduce traffic congestion, improve levels of service, and reduce greenhouse gas emissions.

Policy 2.1.4.3: The City should continue working with the St. Lucie TPO and the County in establishing new transit facilities and routes that meets the demand of the residents and the future and the future land use map to reduce traffic congestion. The City should also seek to construct new bus stops and transit amenities such as benches and bus shelters on new and existing bus routes.

GOAL 2.2: ESTABLISH AN INTEGRATED TRANSPORTATION SYSTEM CONSISTENT WITH FUTURE DEVELOPMENT IN THE CITY.

Objective 2.2.1: Motorized and non-motorized needs shall be addressed and met for each new development approved.

Policy 2.2.1.1: Review development projects to require improvements for pedestrian and bicycle facilities.

Policy 2.2.1.2: Review on-site traffic flow to assure adequate circulation for motorized and non-motorized vehicles and pedestrians is provided.

Policy 2.2.1.3: Review development projects to ensure that adequate parking is provided for the proposed use consistent with the parking requirements identified in the latest Land Development Regulations.

Policy 2.2.1.4: Encourage new developments to construct bus stops and other transit amenities along with bicycle parking facilities.

Policy 2.2.1.5: The City may encourage all new roadways as complete streets and to consider reconfiguring existing roadways to a complete street design.

Objective 2.2.2: In cooperation with the county, review and revise as needed plans to provide transportation services to the transportation disadvantaged.

Policy 2.2.2.1: In coordination with the St. Lucie County Council on Aging the City may continue to plan to provide effective service for work, meals, and other necessary trips to the transportation disadvantaged within the City.

Policy 2.2.2.2: Coordinate with the St. Lucie TPO to maintain and establish transit services to meet the needs of the general public including those in the Western annexation areas.

Policy 2.2.2.3: Participate with St. Lucie County, the City of Fort Pierce, and other local jurisdictions via the St. Lucie TPO in implementation of cost effective transit service.

Policy 2.2.2.4: Ensure that all new parking facilities, pedestrian facilities, transit amenities, and all other transportation infrastructure is in compliance with ADA standards.

GOAL 2.3: MEET THE CURRENT AND FUTURE MOBILITY NEEDS OF RESIDENTS, BUSINESSES, AND VISITORS WITH A BALANCED TRANSPORTATION SYSTEM.

Objective 2.3.1: The transportation system shall be improved to appropriately accommodate bicycle and pedestrian roadway design and facility requirements where determined feasible and when funding is made available.

Policy 2.3.1.1: Consider new Land Development Regulations, design criteria and standards to be used in addressing the needs of bicyclists and pedestrians including but not limited to roadway typical sections.

Policy 2.3.1.2: Develop a GIS-based program to systematically inventory all significant streets within the City, with particular attention given to hazards, bottlenecks, and barriers.

Policy 2.3.1.3: Continue to implement the requirements outlined in the Land Development Regulations that all new developments provide bicycle facilities and/or sidewalks along all major collectors and arterials within and adjacent to the proposed development.

Policy 2.3.1.4: Continue to implement the City's Sidewalk Program to connect or complete either existing or proposed sidewalks in a manner that provides a complete pedestrian circulation system. Sidewalk projects may be prioritized based upon nearby schools, parks, and existing sidewalks.

Objective 2.3.2: Cooperate with the County on their Greenways and Trails program and with the St. Lucie County TPO on their Bicycle and Pedestrian Plan.

Policy 2.3.2.1: Establish bicycle and pedestrian facilities in accordance with AASHTO guidelines and the Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways in the vicinity of schools, with emphasis placed upon the area encompassing schools that are not serviced by the school bus system.

Policy 2.3.2.2: Cooperate with the St. Lucie TPO in implementation of the 2008 St. Lucie Bicycle, Pedestrian, Greenways & Trails Master Plan. The policies and regulations in the Master Plan should be adopted into the LDR's.

Policy 2.3.2.3: Work with local recreation departments, the South Florida Water Management District, and the State Department of Environmental Protection to develop bicycle facilities and trails within community and regional parks, off road trails such as drainage canals and utility right-of-way property, and other major recreational facilities.

Policy 2.3.2.4: Coordinate bicycle planning activities with other agencies associated with bicycle planning activities.

Objective 2.3.3: Manage the street system safely and efficiently for all modes of users and seek to balance limited street capacity among competing uses.

Policy 2.3.3.1: Promote safe and convenient bicycle and pedestrian access throughout the transportation system and support the establishment of bicycle and pedestrian facilities within arterial and collector roadways.

Policy 2.3.3.2: Support the development of an integrated, regional transit system and work with transit providers to provide safe and convenient access to transit stops and facilities.

Policy 2.3.3.3: Encourage transit services that address the needs of persons with disabilities, elderly, people with special needs, and people who depend on public transit for their mobility.

Policy 2.3.3.4: The City may require new development or redevelopment to support alternative modes of transportation. Such measures may include, but are not limited to, the provision of sidewalks, bikeways, transit stops, or other facilities to support alternative modes, such as park-and-ride facilities.

Policy 2.3.3.5: The City may support and encourage the use of carpooling and vanpooling as effective mechanisms for increasing vehicle occupancy rates and decreasing greenhouse gas emissions.

Policy 2.3.3.6: Proposed development may be reviewed during the Development Review process for the provision of adequate and safe on-site circulation, including pedestrian and bicycle facilities, public transit facilities, access modifications, loading facilities, and parking facilities.

Policy 2.3.3.7: Transportation facilities may be designed to result in a pleasing environment enhanced by trees and landscaping that will present an attractive community appearance, enhance safety, reduce heat island effects, and provide shade for pedestrians, bicyclists and transit users.

Objective 2.3.4: *The City of Port St. Lucie will maintain an effective Stormwater Management Plan which includes strategies to improve drainage, improve water quality and provide flood protection.*

Policy 2.3.4.1: The City's Public Works Department will utilize its geodatabase and mapping system of its stormwater facilities to assist the City in its maintenance, modification and management of drainage facilities.

Policy 2.3.4.2: The Stormwater Utility Fee will be utilized to fund capital projects to replace and/or modify existing infrastructure. In selecting and designing capital projects to be funded, the City will consider evolving and projected conditions affecting stormwater, transportation, and other infrastructure.

GOAL 2.4: COORDINATE TRANSPORTATION-RELATED ISSUES WITH THE FDOT, THE TREASURE COAST REGIONAL PLANNING COUNCIL, ST. LUCIE COUNTY, THE TPO, THE DIVISION OF COMMUNITY DEVELOPMENT, AND OTHER PRIVATE OR PUBLIC TRANSPORTATION-RELATED AGENCIES.

Objective 2.4.1: *Share common transportation goals, objectives, and policies with the transportation-related agencies listed above where common interests are involved. The City should coordinate with adjacent jurisdictions on multi-modal approaches to transportation planning and implementation of concurrency or mobility.*

Policy 2.4.1.1: Review the existing Goals, Objectives, and Policies of other agencies when revising or altering Goals, Objectives, and Policies for the City.

Policy 2.4.1.2: Continue to ensure that all interested agencies listed above are informed of transportation related activities and improvements via copies of correspondence.

Policy 2.4.1.3: As part of the Capital Improvements Element update process, annually review transportation improvements planned for the City indicating the agency responsible for the improvement and the estimated date of completion.

Policy 2.4.1.4: The City shall consult with the Department of Transportation when proposed plan amendments affect facilities on the strategic intermodal system.

~~Policy 2.4.1.5: The City may consider reviewing existing fee structures to fund alternative modes of transportation including a mobility fee based upon multi-modal capital improvement projects, system efficiency, and congestion management.~~

Objective 2.4.2: *Applicable agencies listed in Goal 2.4 shall be advised of development proposals which may have impacts within their respective jurisdictions and request comments, as applicable.*

Policy 2.4.2.1: Continue to utilize the standard checklist procedure to advise applicable agencies of proposed developments.

Policy 2.4.2.2: Evaluate existing policies relating to design standards for reconstructed roadways to incorporate requirements for bicycle and pedestrian facilities.

GOAL 2.5 – COOPERATE WITH ST. LUCIE COUNTY TO ESTABLISH AND ENCOURAGE THE PROTECTION OF SCENIC FEATURES, NATURAL RESOURCES AND HISTORIC SITES ALONG THE DESIGNATED ROADWAY.

Objective 2.5.1: The City of Port St. Lucie should cooperate with St. Lucie County in maintaining those roadway and transportation corridors that have unique social, environmental or historic resources as a Scenic Highway consistent with the general requirements of the State Florida Scenic Highway Program. Designation as a National Scenic Byway will be sought consistent with Federal program guidelines.

Policy 2.5.1.1: The following roadway is designated as a Scenic Highway under the Florida Scenic Highway Program, as administered by the Florida Department of Transportation:

- a. Indian River Drive - All segments of Indian River Drive that are within the City of Port St. Lucie

Policy 2.5.1.2: The City of Port St. Lucie shall, consistent with the other elements of this Plan (Future Land Use, Conservation and Coastal Management, Recreation and Open Space), encourage the protection and preservation of the scenic features, natural resources, and historic sites along the candidate roadway or transportation corridors, while minimizing any potential negative impacts on adjacent properties.

GOAL 2.6 – PROVIDE A SAFE AND EFFICIENT MULTIMODAL TRANSPORTATION SYSTEM FOR THE WESTERN ANNEXATION AREAS

Objective 2.6.1: Provide a comprehensive transportation system for the Western Study Area that provides a sufficient roadway grid network that accommodates the planned uses identified in the future land use map.

Policy 2.6.1.1: Encourage proposed development in the Western Annexation areas to incorporate a local grid street network with spacing of collector roads approximately one-half mile to one mile apart. The collector roads should provide public access to the area-wide network with multiple connections to the local and arterial roadways.

Policy 2.6.1.2: Encourage proposed development in the Western Annexation areas to incorporate a local grid street network with spacing of local roads approximately one-quarter to one-half mile apart. The local roads should provide public access to the area-wide network with multiple connections to the collector and arterial roadways.

Policy 2.6.1.3: The city shall enforce the Northwest Annexation Area Right-of-Way Network Map and protect right-of-way by requiring all appropriate land to be deeded to the City at the time of the first subdivision plat approval.

Policy 2.6.1.4: Right-of-way deficiencies in the Western Annexation areas shall be satisfied by deeding of equal amounts of right-of-way from each side of the deficient roadway, unless the following conditions apply:

- a. Where right-of-way must be dedicated for site related improvements, all such dedicated right-of-way shall come from the development project side of the roadway.
- b. Where a drainage district canal right-of-way, a railroad right-of-way, a high voltage power line, or similar impediment abuts one (1) side of a deficient road right-of-way, the entire right-of-way deficiency shall be made up from the property on the opposite side.
- c. Where at least one-half (1/2) of the required road right-of-way has been provided from

the property on one (1) side of a deficient road right-of-way, the remaining right-of-way deficiency shall be made up from the property on the opposite side.

Policy 2.6.1.5: The roadway plan for the Western Annexation Area, as depicted in Transportation Series Map 2, 2035 Needs Assessment Map, will be built as development occurs in the study area and will be financed or constructed by developers as part of the development approval process.

Policy 2.6.1.6: All new developments must provide the appropriate infrastructure to facilitate the use of public transportation such as bus stops locations and shelters.

Policy 2.6.1.7: Sufficient pedestrian, parking and bicycle facilities shall be constructed pursuant to the latest Land Development Regulations for all new development and roadway projects within the Western Annexation areas.

GOAL 2.7 ENHANCE MOBILITY FOR RESIDENTS, BUSINESSES, AND VISITORS THROUGH AN INTERCONNECTED MULTIMODAL TRANSPORTATION SYSTEM THAT EMPHASIZES THE MOVEMENT OF PEOPLE OVER VEHICLES AND PROVIDES ALL USERS OF THE SYSTEM WITH THE CHOICE TO SAFELY, COMFORTABLY, AND CONVENIENTLY WALK, BICYCLE, RIDE TRANSIT, DRIVE A VEHICLE, OR USE SHARE MOBILITY TECHNOLOGY.

Objective 2.7.1: The City shall transition from a roadway facility-based level of service system that implements transportation concurrency towards a multimodal system, that provides mobility for all users.

Policy 2.7.1.1: The City shall implement the Port St. Lucie Mobility Plan to provide people the opportunity to walk, bicycle, ride transit, use shared mobility technology, or continue to drive their vehicles through the following:

1. Identification of multimodal projects to develop and update the Mobility Plan;
2. Determine multimodal capacities for multimodal projects in the Mobility Plan;
3. Prioritize multimodal projects for annual capital improvement programming;
4. Develop Complete Streets design standards for new and retrofitted streets;
5. Implement FDOT's Context Classifications for Complete Streets;
6. Develop mobility solutions, standards, and strategies for new development;
7. Develop multimodal site access analysis and internal street evaluation requirements;
8. Develop multimodal criteria to review Comprehensive Plan amendments; and
9. Develop a connectivity index for access connection spacing to define the distances and required number of access connections to existing mobility of multimodal corridors, and
10. Any other standards the City determines appropriate for advancing this objective.

Policy 2.7.1.2: Review all proposed development for consistency with the goals, objectives, and policies of the Comprehensive Plan, the Mobility Plan, and other adopted infrastructure plans.

Policy 2.7.1.3: Prioritize mobility projects for planning, design, right-of-way acquisition, and construction through the Multimodal Program as part of the annual update of Capital Improvements Program.

Policy 2.7.1.4: Development shall mitigate its impacts to the transportation system through payment of a Mobility Fee to the City. Development shall also be required to pay a portion of the County's transportation impact fee consistent with adopted and valid interlocal agreements between the City and the County. Payment of the Mobility Fee shall not relieve developments of development order or developer agreement requirements for monitoring impacts, constructing improvements, or being required to construct future improvements to mitigate impacts.

Policy 2.7.1.5: Development shall be required to construct mobility and multimodal corridors shown on the Mobility Plan that are internal to the development or that are adjacent to an external property boundary to ensure connectivity, the dispersal or trips, and adequate access for first responders.

Objective 2.7.2: Implement and periodically update the Mobility Plan and Mobility Fee.

Policy 2.7.2.1: The City shall implement the vision of the Mobility Plan through the planning, design, funding, and construction of multimodal projects that strengthen mobility, accessibility, safety, and connectivity and result in:

1. A complete and connected primary multimodal network of greenways, multi-use paths, multimodal ways, and multimodal lanes that connect neighborhoods with schools, parks, places of assembly, civic uses, employment and retail centers;
2. Providing people the opportunity to walk, bicycle, ride transit, use shared mobility technology, or continue to drive their vehicles;
3. Providing more visible and safe multimodal crossings through high visibility crosswalks, advanced warning crossing systems, and reductions in the unprotected crossing width of streets, driveways, access connections, and intersections; and
4. Ensuring that new development and redevelopment, along with new, upgraded, or widened roads are planned, designed, funded, and constructed using a Complete Streets approach.

Policy 2.7.2.2: Reduce vehicle congestion and improve traffic circulation by adding turn lanes or roundabouts at busy intersections, upgrading and interconnecting traffic signals, and ensuring new development and redevelopment plan, design, and construct mobility projects through or adjacent to the development along with the addition of road capacity to existing mobility corridors.

Policy 2.7.2.3: Mobility fees shall be used as a funding source, along with gas taxes, sales taxes, and other available revenue sources for multimodal projects.

Policy 2.7.2.4: Update the Mobility Plan and Mobility Fee at least once every five (5) years.

City of Port St. Lucie Large Scale Comprehensive Plan Text Amendment

(P23-182)
Planning and Zoning Board Meeting
November 7, 2023

CityofPSL.com



Request Summary

- This is a City initiated text amendment to the Transportation Element of the Comprehensive Plan to add goals, objectives, and policies in recognition of the city's adoption of a mobility plan and mobility fee.



Project Background

- In 2020, the City of Port St Lucie began the process of replacing the City's road impact fee with a mobility fee.
- The purpose of the mobility fee is to provide a mechanism for funding transportation improvements that serve all users including pedestrians, cyclists, and transit users based on an adopted mobility plan.
- The City contracted with NUE Urban Concepts, LLC
- The City of Port St. Lucie 2045 Mobility Plan was completed in May 2023.



2045 MOBILITY PLAN & FEE

Mobility Plan Technical Report Executive Summary

CITY OF PORT ST. LUCIE
2045 MOBILITY PLAN & FEE
EXECUTIVE SUMMARY

MARCH 2023

CITY OF PORT ST. LUCIE
LAND USE • MOBILITY • PARKING • FEES

REPUBLIC DESIGN
futureplan

MOBILITY COHORT

CITY OF PORT ST. LUCIE
2045 MOBILITY PLAN
MARCH 2023

CITY OF PORT ST. LUCIE
LAND USE • MOBILITY • PARKING • FEES

REPUBLIC DESIGN
futureplan

MOBILITY COHORT

CITY OF PORT ST. LUCIE
**PHASE 2
MOBILITY PLAN
& MOBILITY FEE**
TECHNICAL
REPORT

SEPTEMBER 2022

CITY OF PORT ST. LUCIE
LAND USE • MOBILITY • PARKING • FEES

REPUBLIC DESIGN
futureplan

MOBILITY COHORT

2045 Mobility Plan Overview

- The Port St. Lucie 2045 Mobility Plan includes mobility and transportation infrastructure projects and brings together various city initiatives to address future growth.
- The Mobility Plan is a vision and strategy, over the next 22 years, to both strengthen the downtown core in the east and support new development in the west through the planning for multimodal transportation projects that provide people choices: whether they want to walk, bicycle, ride transit, or continue to drive their cars.
- The City's Comprehensive Plan has a Transportation Element and it being revised to recognize the adoption of the Mobility Plan 2045.
- A future comprehensive plan update will incorporate mobility in greater detail as part of the full updated to the Comprehensive Plan that is anticipated to start in spring 2024.



2045 Mobility Plan Overview

- In Port St. Lucie East, the 2045 Mobility Plan seeks to further emphasize and build upon initiatives such as the City Center Master Plan, Village Green Drive Master Plan, the Multimodal Plan, and the Port District Master Plan to improve mobility and accessibility for multimodal travel east of Interstate 95.
- In Port St. Lucie West, the 2045 Mobility Plan seeks to ensure new development is implemented with a Complete Streets approach that supports diverse mobility options.
- The 2045 Mobility Plan consists of three (3) distinct plans: (1) Corridors Plan; (2) Intersections Plan; and (3) Transit Circulation Plan. The three plans include sidewalks, multi-use paths, bicycle lanes, multimodal lanes, and enhanced landscaping.
- The Mobility Plan serves as the basis for the establishment of a Mobility Fee system that functions as an alternative to transportation concurrency.



Proposed Amendment

- The proposal will delete Policy 2.4.1.5 and add Goal 2.7, Objectives 2.7.1 and 2.7.2, Policies 2.7.1.1. to 2.7.1.5, and Policies 2.7.2.1 to 2.7.2.4 to the Transportation Element.
- Policy 2.4.1.5 is proposed for deletion because it is outdated since the City has adopted a mobility fee.
- Goal 2.7 and subsequent objectives and policies support the City's transition from a roadway facility-based level of service system that implements transportation concurrency towards a multimodal system that emphasizes people over vehicles.
- The proposed amendment was prepared with assistance with the City's mobility consultant, the City's transportation consultant, and the Public Works Department.



Analysis

- In 2020, the City amended the Transportation Element of the Comprehensive Plan to consider the adoption of a mobility fee to fund multimodal capital improvements to encourage walking, bicycling, transit ridership, and the efficient use of the transportation system.
- In 2021, the City adopted the Port St. Lucie Mobility Plan Phase 1 and a Mobility Fee to replace transportation concurrency and the City's roadway impact fee program. In 2023 the City adopted the 2045 Mobility Plan.



Recommendation

The Planning and Zoning Department staff finds the petition to be consistent with the intent and direction of the City's comprehensive plan and recommends approval.





Agenda Summary

2023-1022

Agenda Date: 11/7/2023

Agenda Item No.: 7.b

Placement: Public Hearing - Non Quasi Judicial

Action Requested: Motion / Vote

P23-187 A City Initiated Text Amendment to Title XI - Business Regulations, Chapter 110.02

This is a request to amend Section 110.02 'Proximity to religious institution or school'.

Submitted By: Marissa Latchman, Environmental Planner II, Planning and Zoning Department

Executive Summary: This proposed amendment to Section 110.02 'Proximity to religious institution or school' provides clarity on measuring the required 1,500' separation between establishments that sell alcoholic beverages in multi-use commercial buildings/shopping plazas and religions institutions and schools. Proposed changes are provided in Exhibit A.

Presentation Information: Staff will provide a presentation.

Staff Recommendation: Move that the Board recommend approval of the text amendment.

Background: N/A

Issues/Analysis: N/A

Special Consideration: N/A

Location of Project: N/A

Attachments: 1. Staff Report, 2. Exhibit A, 3. Staff presentation.



City of Port St. Lucie Text Amendment
City of Port St. Lucie – Title XI – Business Regulations, Chapter 110.02. - Proximity to religious institution or school.
Project No. P23-187

SUMMARY

Applicant's Request:	Adopt an amendment to Section 110.02 modifying an existing subsection, adding a new subsection (d) and renumbering another.
Applicant:	City of Port St. Lucie
Application Type:	Text Amendment to City's Business Regulations
Project Planner:	Marissa Da Breo-Latchman, Environmental Planner II

Background

This proposed amendment to Section 110.02 'Proximity to religious institution or school' provides clarity on measuring the required 1,500' separation between establishments that sell alcoholic beverages in multi-use commercial buildings/shopping plazas and religions institutions and schools. Proposed changes are provided in Exhibit A.

STAFF RECOMMENDATION

The Planning and Zoning Department staff finds the petition to be consistent with the intent and direction of the City's comprehensive plan and recommends approval of the proposed amendment.

Exhibit "A"

Sec. 110.02. Proximity to religious institution or school.

- (a) Except as provided in section 110.06, no license shall be granted to a vendor of alcoholic beverages whose place of business is or shall be within 1,500 feet of a school or religious institution.
- (b) Any person entitled to a special license as of the effective date of this chapter, shall be exempt from the distance limits provided in sub-section (a) of this section. The limitations of sub-section (a) of this section shall apply to any person who shall become entitled to a special license after such effective date. However, the limitation of subsection (a) of this section shall not apply to any person who shall become entitled to a special restaurant license as defined by Section 561.20(2)(a)(4), Florida Statutes.
- (c) Distance measurement. Except as provided in sub-section (d), the distances specified in this section shall be determined by the horizontal distance measured in a straight line from the closest property line to the closest property line of the lot on which the proposed commercial establishment at which alcoholic beverages are present is located, without regard to intervening structures. ~~In the case of a multi-use building located upon a single tract of land, the distance shall be measured by drawing a straight line between the outermost exterior wall of the unit within the multi-use building intended for use as a commercial establishment at which alcoholic beverages are present and the outermost wall of the unit of the religious institution or school.~~
- (d) Where the alcoholic beverages vendor will be located in a multi-use commercial building or shopping plaza, the distance shall be measured by drawing a straight line between the outermost exterior wall of the unit where the alcoholic beverages vendor is located and the outermost wall of the religious institution or school.
- ~~(d)~~ (e) The limitations of subsection (a) of this section as they relate to schools shall not apply to vendors of malt beverages and wines containing alcohol no more than 22% by volume.

City of Port St. Lucie

City-initiated Text Amendment

Planning and Zoning Board Meeting
November 7, 2023
P23-187

INCORPORATED

CityofPSL.com



City-initiated Request

Purpose:

- To clarify how the required separation (1,500') between establishments in multi-use commercial buildings/shopping plaza and religious institutions/schools is determined.
- To distinguish between the measurement for single-use properties/structures.

Proposed Amendment

- (c) Distance measurement. Except as provided in sub-section (d), ~~the~~ distances specified in this section shall be determined by the horizontal distance measured in a straight line from the closest property line to the closest property line of the lot on which the proposed commercial establishment at which alcoholic beverages are present is located, without regard to intervening structures. ~~In the case of a multi-use building located upon a single tract of land, the distance shall be measured by drawing a straight line between the outermost exterior wall of the unit within the multi-use building intended for use as a commercial establishment at which alcoholic beverages are present and the outermost wall of the unit of the religious institution or school.~~
- (d) Where the alcoholic beverages vendor will be located in a multi-use commercial building or shopping plaza, the distance shall be measured by drawing a straight line between the outermost exterior wall of the unit where the alcoholic beverages vendor is located and the outermost wall of the religious institution or school.
- ~~(d)~~ (e) The limitations of subsection (a) of this section as they relate to schools shall not apply to vendors of malt beverages and wines containing alcohol no more than 22% by volume.

Recommendation

The Planning and Zoning Department finds the proposed text amendment to be consistent with the intent and direction of the City's comprehensive plan and recommends approval.



Agenda Summary

2023-1018

Agenda Date: 11/7/2023

Agenda Item No.: 7.c

Placement: Public Hearing - Non Quasi Judicial

Action Requested: Motion / Vote

P23-134 Toscana SLC, LLC - Small-Scale Comprehensive Plan Amendment

Location: 9871 S US Highway 1, south of Lyngate Drive and on the west side of US Highway 1

Legal Description: Second Replat of Tract E South Port St Lucie Unit 15, Tract 3.

This is a request to change the future land use designation of a 1.55 acres property from High Density Residential/General Commercial/Open Space-Conservation (RH/CG/OSC) to High Density Residential/Service Commercial (RH/CS).

Submitted By: Bethany Grubbs, Planner III

Executive Summary: The applicant is requesting approval of a small-scale Future Land Use Map amendment for 1.55 acres from High Density Residential/General Commercial/Open Space-Conservation (RH/CG/OSC) to High Density Residential/Service Commercial (RH/CS).

Presentation Information: Staff will provide a presentation.

Staff Recommendation: Move that the Board forward a recommendation of denial to City Council.

Alternate Recommendations:

1. Move that the Board amend the recommendation and recommend approval to City Council with conditions.
2. Move that the Board recommend approval to City Council.

Background: See attached staff report.

Issues/Analysis: See the attached staff report.

Special Consideration: N/A

Location of Project: The subject property is located at 9871 S US Highway 1, south of Lyngate Drive and on the west side of US Highway 1.

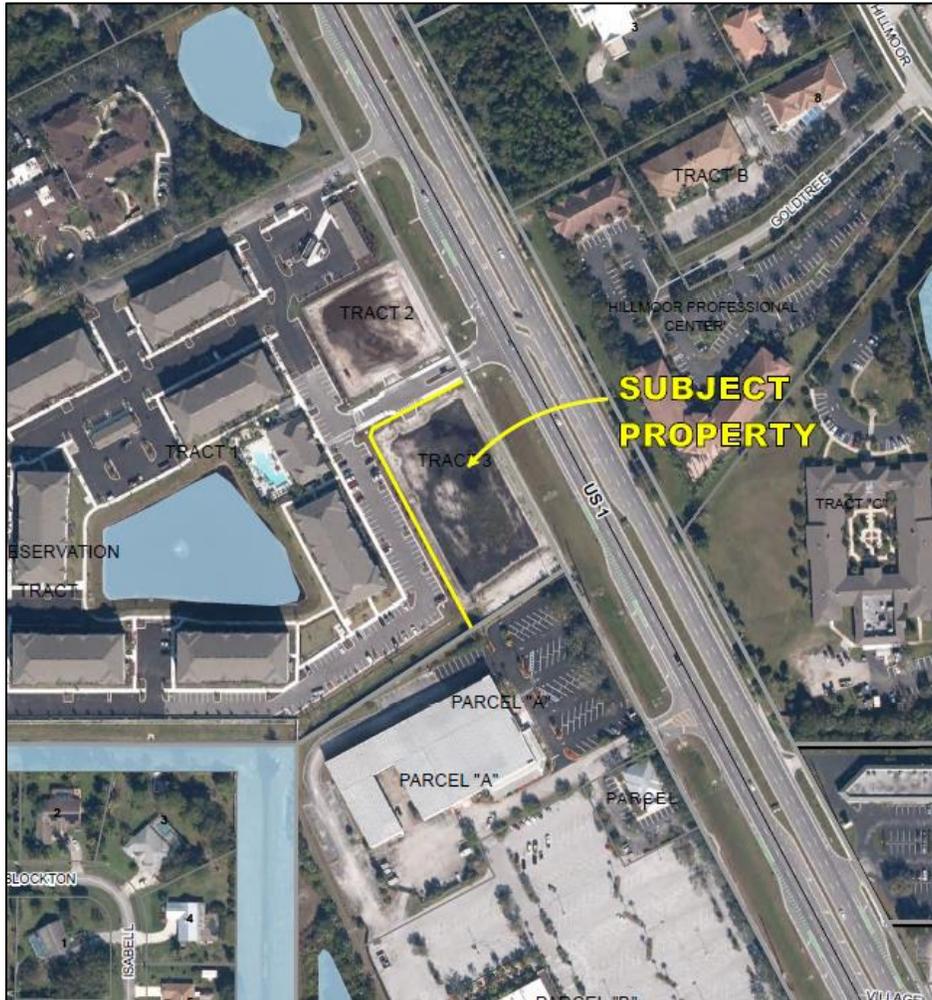
Attachments:

1. Staff Report
2. Application, Agent Authorization, Deed
3. Capacity Analyses
4. Traffic Study

5. Market Study
6. CRA Memo
7. Staff Presentation



Toscana SLC, LLC
Small-Scale Comprehensive Plan Amendment
P23-134



Project Location Map

SUMMARY

Applicant's Request:	Small-Scale Future Land Use Map Amendment from High Density Residential/Commercial General/Open Space-Conservation (RH/CG/OSC) to High Density Residential/Service Commercial (RH/CS).
Agent:	Patti Tobin, HJA Design Studio, LLC
Applicant/ Property Owner:	Toscana SLC, LLC
Location:	9871 S US Highway 1
Project Planner:	Bethany Grubbs, Planner III

Project Description

The applicant is requesting approval of a small-scale Future Land Use Map amendment for 1.55 acres from High Density Residential/General Commercial/Open Space-Conservation (RH/CG/OSC) to High Density Residential/Service Commercial (RH/CS). The subject property is located at 9871 S US Highway 1, south of SE Lyngate Drive, east of SE Morningside Boulevard, and on the west side of S. US Highway 1.

The overall Toscana at Port Saint Lucie PUD project is comprised of three parcels which include 252 apartments on 14.59 acres and 2.3 acres of commercial development. This application is specific to Tract 3. The subject 1.55-acre commercial property is adjacent to the abovementioned apartments. The RH designation shall remain with Tract 3 as the density was included to achieve the 252-unit count for the apartments. The property has a concurrent Planned Unit Development (PUD) Amendment application to allow self-storage facilities as a permitted use on Commercial Parcel 2, which is dependent on the approval of this small-scale comprehensive plan amendment. The proposed CS land use is intended to accommodate a four-story, 94,461 gross square foot self-storage facility. The facility will have a 3,000 square foot commercial component on the first floor.

Previous Actions and Prior Reviews

N/A

Public Notice Requirements

Per Sec 151.06 of the City’s Zoning Code, a mailed notification of public hearing has been provided to property owners within 750 feet of the parcel and a copy of the notice has been kept available for public inspection during regular business hours.

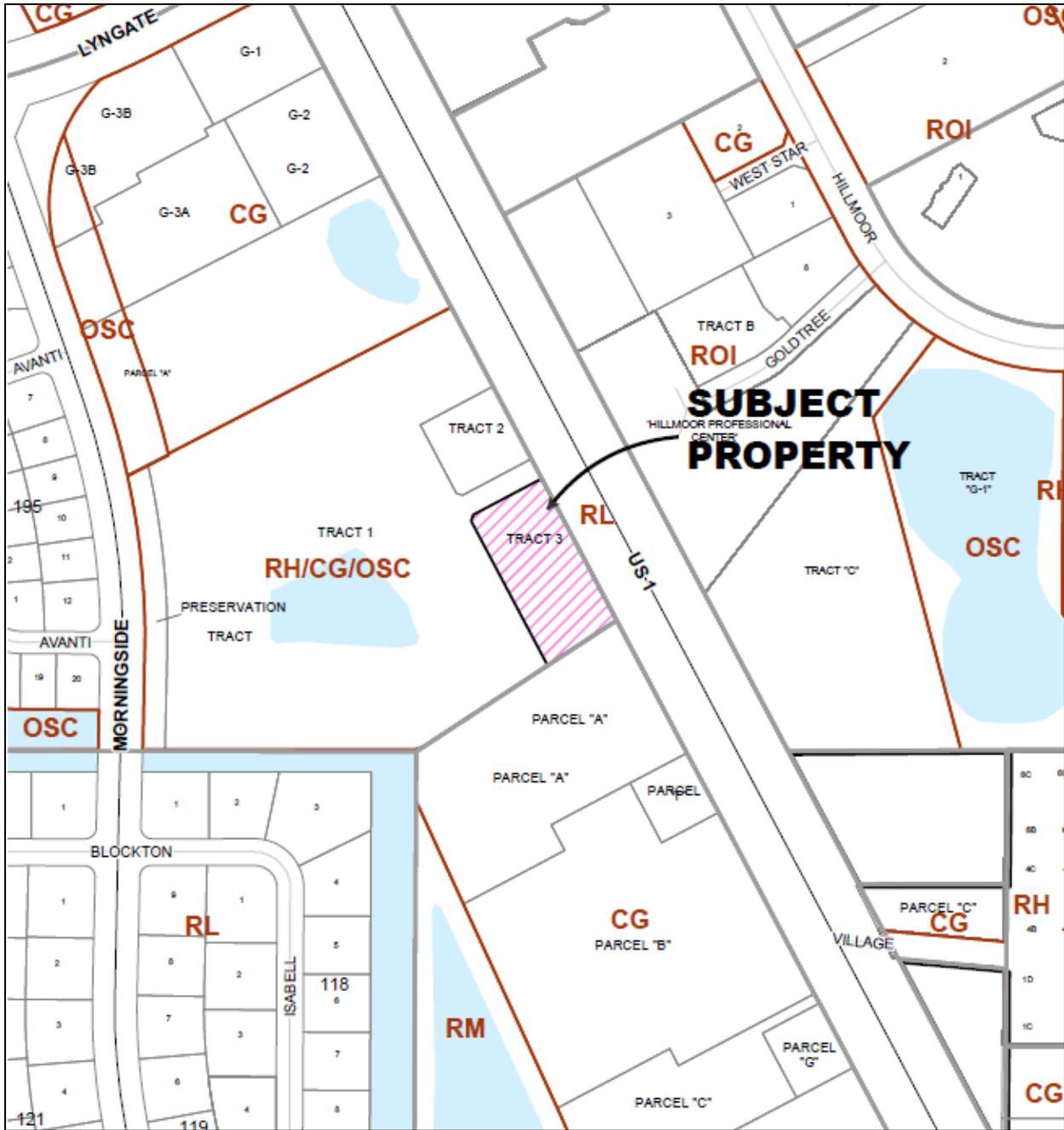
Location and Site Information

Parcel Number:	4401-714-0004-000-3
Property Size:	1.55 acres
Legal Description:	Second Replat of Tract E South Port St Lucie Unit 15 Tract 3
Existing Future Land Use:	High Density Residential/Commercial General/Open Space-Conservation (RH/CG/OSC)
Existing Zoning:	Planned Unit Development (PUD)
Existing Use:	Vacant
Requested Future Land Use:	High Density Residential/Service Commercial (RH/CS)
Proposed Use:	Self-Storage Facility

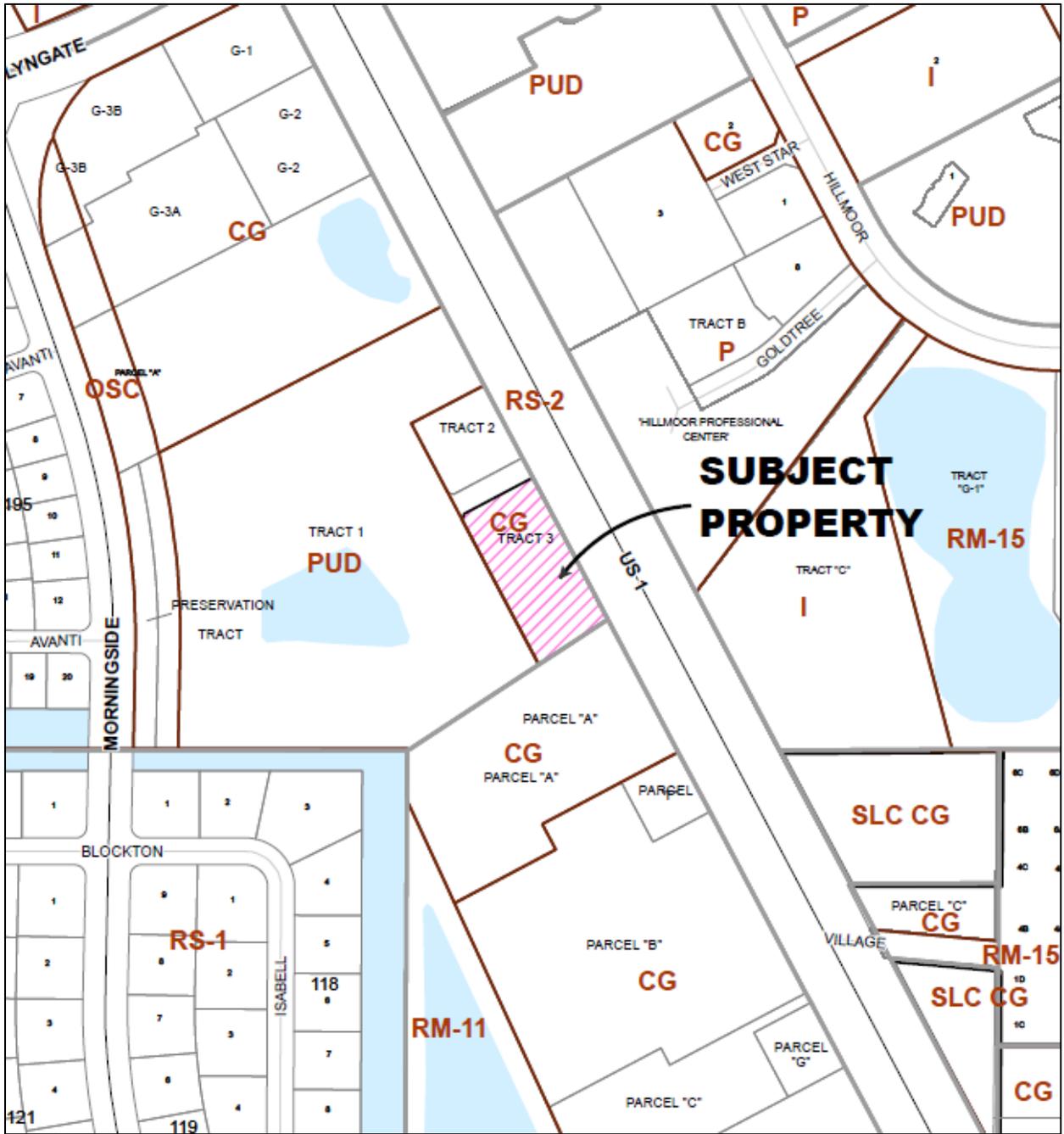
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	CG & OSC	CG & OSC	Assisted living facility, retail and office uses
South	CG	CG	Church
East	ROI	P	U. S. #1, medical and business offices
West	OSC & PUD	OSC & RH/CG/OSC	Apartment complex

- OSC - Open Space Conservation
- ROI - Residential, Office, Institutional
- CG - Commercial General
- PUD - Planned Unit Development
- P – Professional
- RH/CG/OSC - High Density Residential/Commercial General/Open Space-Conservation



Future Land Use Map



Zoning Map

COMPREHENSIVE PLAN REVIEW AND ANALYSIS

Applicant's Justification Statement: The existing future land use designations of the entire Toscana PUD project site (16.89 acres) are High Density Residential/Commercial General/Open Space Conservation (RH/CG/OSC). This application proposes to amend the future land use map amendment for the 1.55 acres to include High Density Residential/Commercial Service (RH/CS). The proposed land use will allow for a self-storage facility. The zoning is Planned Unit Development (PUD) and that PUD will be amended to reference the proposed use and architecture of the building.

Land Use Consistency: The applicant is proposing a small-scale Future Land Use Map Amendment from High Density Residential/General Commercial/Open Space-Conservation (RH/CG/OSC) to High Density Residential/Service Commercial (RH/CS) for 1.55 acres. The intent of the land use change is to accommodate a 94,461 gross square foot self-storage facility with a 3,000 square foot commercial component on the first floor.

The project is located within the Community Redevelopment Area (CRA) US 1 Corridor. As originally proposed, the overall Toscana development was in line with CRA Master Plan Goals and Objectives by promoting business investment and economic development within the CRA US 1 Corridor, and the residential portion addressed the Plan's suggestion of allowing for a greater diversity of residential types within this area. However, the recently requested changes to the PUD are not in line with the Plan's Goals and Objectives. With the pending redevelopment of City Center, commercial uses along the US 1 Corridor would be best suited as restaurants/retail to compliment the revitalized corridor and provide additional entertainment options for adjacent residents. In fact, the City Center redevelopment will likely generate an increased demand for retail uses along this important corridor. The PUD amendment application mentions creating a project that promotes walkability, however a self-storage facility does not promote walkability. In fact, self-storage facilities are often associated with additional truck traffic and/or other vehicles that are needed to move items to and from the storage facility. CRA staff believes self-storage/warehouse uses such as the one proposed would be best situated off the main US 1 Corridor. Therefore, the CRA cannot support the applications, as proposed (see attached memo).

In the city limits, the CS land use is generally found in more industrial locations, tucked away on collector roads, and not on the city's main corridor where redevelopment is occurring. The current land use of CG is more appropriate for this location. According to Policy 1.1.4.2 of the City's Comprehensive Plan, the difference between the two commercial land uses is that *Commercial General (CG) is designated to accommodate general retail sales and services with restrictions on heavy vehicular sales, services, wholesale, warehouse uses, outdoor storage, or other nuisance uses, and Commercial Service (CS) is intended for the most intensive commercial development including wholesale, warehouses, vehicle sales, lumber yards, etc. Adequate buffering is required based on site plan reviews.*

Furthermore, the land use change is not aligned with the Toscana PUD project vision, which states, ".....*The retail areas may offer new choices and direct access to shopping, dining, and entertainment for nearby residents.*" The commercial tract will not offer the above referenced services if it is constructed with a self-storage facility.

The future land use map amendment application is not supported by and does not further the following policies of the comprehensive plan:

- **Policy 1.1.7.3:** Encourage commercial and mixed-use nodes at or near arterial intersections and utilize urban design standards and techniques to beautify and enhance community appearance along major corridors.

- **Policy 1.1.10.2:** The City may continue implementation of the Community Redevelopment Area (CRA) Master Plan including support for City Center and development of a variety of mixed use, commercial, office, residential and recreational uses in the CRA.
- **Policy 1.1.11.1:** Transit supportive development and redevelopment may be encouraged along existing and proposed transit routes. Site design guidelines may be developed in the City’s update to the land development regulations.

Adequate Public Facilities Review (Objective 1.1.3) The project has been reviewed for consistency with the adopted level of service standards in the Comprehensive Plan based on the most intense use that would be allowed for the land use classification and documented as follows:

Potable Water/Sanitary Sewer: The City of Port St. Lucie Utility Systems Department will be the provider of water and sewer service to the property. With a change in the future land use designation, potable water and wastewater demand by is not expected to change. The Comprehensive Plan Policy 4.D.1.2.1 establishes 125 gallons per day per 1,000 square feet for commercial uses.

Projected water and wastewater demand for both existing and future land use categories are listed below:

Water and Wastewater Calculations by Land Use					
<i>Future Land Use</i>	<i>Acreage</i>	<i>Maximum Development</i>	<i>Level of Service</i>	<i>Projected Demand Potable Water (gpd)</i>	<i>Projected Demand Wastewater (85% of potable water rate) (gpd)</i>
CG (Existing)	1.55	27,007 (40%)	125 gpd/1,000 SF	3,376	2,870
CS (Proposed)	1.55	27,007 (40%)	125 gpd/1,000 SF	3,376	2,870
<i>Projected No NET CHANGE in demand</i>				(-/+) 0 gallons	(-/+) 0 gallons

The proposed future land use amendment would potentially result in not net change in water and wastewater demand. Existing and planned facilities will be available to serve the area.

Transportation: To determine the net change in trip potential due to the requested Future Land Use Map change for the 1.55-acre site, the theoretical maximum intensities/densities for the existing designations and proposed designations were identified and documented as follows:

Existing Future Land Use	Acreage	Maximum Coverage	Trip Generation Average Rate (ITE Code)	Average Daily Trips	PM Peak Hour
CG	1.55	27,007 (40%)	Strip Retail Plaza (ITE Code 822)	1,369	158
Proposed Future Land Use	Acre	Maximum Coverage	Trip Generation Average Rate (ITE Code)	Average Daily Trips	PM Peak Hour
CS	1.55	27,007 (40%)	Strip Retail Plaza (ITE Code 822)	1,369	158

The proposed project is not expected to have an adverse impact on traffic impact, since the proposed land use will have no net change in the Average Annual Daily Traffic (AADT). There are not expected to be any adverse impacts on the transportation level of service for the adjacent roads. The commercial parcel shall have one access point off the 50 foot shared access easement which provides ingress and egress to S. US Highway 1.

Parks/Open Space: Not applicable. The property is not entitled for any additional residential density.

Stormwater: The project will include a paving and drainage plan that is in compliance with the adopted level of service standard.

Solid Waste: Solid waste impacts are measured and planned based on population projections on an annual basis. There is adequate capacity available.

Public School Concurrency Analysis: Not applicable. The property is not entitled for any additional residential density.

Environmental: The subject property has been cleared. The overall Toscana PUD project had 9.3 acres of native upland habitat. Chapter 157, Natural Resources Protection Ordinance requires the protection of 25% of native upland habitat. 2.3 acres of upland habitat was required to be preserved or mitigated. There is 0.64 acres of upland habitat in the Open Space Conservation (OSC) tract that was preserved with a 50-foot buffer along Morningside Boulevard and was used for part of the mitigation requirement. 1.68 acres was mitigated by contributing to the Conservation Trust Fund.

Flood Zone: The flood map for the selected area is number 12111C0291K and is located in Zone X. Zone X is determined to be located outside the 100-year and 500-year floodplains.

Fire District: The nearest St. Lucie County Fire District station is Station 5 (2288 SE Delano Road). The St. Lucie Fire District does not list response times for each individual station because of the necessity of responding with another station.

Police: The department’s general response time to an emergency call for service within the city limits is approximately 6-7 minutes for emergency calls. This proposed comprehensive plan is not expected to adversely impact that response time.

Policy 1.1.7.1: Future Land Use Map Amendment will be reviewed based on consistency with the goals, objectives, and policies of all elements of the comprehensive plan and other considerations such as:

	Consistent with criteria (Y/N or N/A)
Satisfy a deficiency or mix of uses in the Plan map	N
Accommodate projected population or economic growth of the City	N
Diversify the housing choices in the City	N
Enhance or impede provision of services at adopted LOS Standards	Neither enhance nor impede adopted LOS
Compatibility with abutting and nearby land uses	N
Enhance or degrade environmental resources	Neither enhance nor degrade environmental resources
Job creation within the targeted industry list	N

STAFF RECOMMENDATION

The Planning and Zoning Department recommends **denial** of the proposed comprehensive plan amendment.

Planning and Zoning Board Action Options:

- Motion to recommend denial to the City Council
- Motion to recommend approval to the City Council with conditions
- Motion to recommend approval to the City Council

Please note: 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.



REVISED (08.16.23)

July 6, 2023

Ms. Mary Savage-Dunham, AICP
Director of Planning & Zoning
City of Port St. Lucie
121 S.W. Port St. Lucie Blvd.
Port St. Lucie FL 34984

Our ref. # 2022-10

RE: Comprehensive Plan Amendment – Toscana SLC LLC, U.S. Hwy 1 - 1.55 acres

Dear Ms. Savage-Dunham:

Please accept this letter and the enclosed materials for our Comprehensive Plan Amendment application for 1.55-acre site from RH (Residential, High Density)/CG (Commercial General)/OSC (Open Space Conservation) to RH/CS (Residential, High Density/Commercial Service) for property located on the west side of S. U. S. Hwy. 1, south of SE Lyngate Drive, and east of SE Morningside Boulevard. As required the following items have been uploaded to the City’s Fusion program:

1. Completed application
2. Check made out to the City of PSL in the amount of \$4,465.00.
3. Cover letter
4. Agent authorization letter, if applicable
5. Deed(s)
6. Survey
7. Location map
8. FEMA flood plain information
9. Environmental Assessment Report
10. Florida Land Use and Cover Classification System (FLUCCS) map
11. Traffic analysis
12. Market study (commercial categories only)
13. Capacity analysis, locations and service descriptions for the following public services: water and sewer, solid waste, drainage, fire and emergency services, and police.

Following your review of the application please let us know if you need any additional copies or have any questions. Thank you for your assistance with this application. We look forward to working with you and your staff.

Sincerely,

Michael Houston ASLA
HJA Design Studio, LLC



Justification Statement (Revised)

Toscana SLC LLC – Comprehensive Plan Amendment for 1.55 acres (Parcel 3, Second Replat of Tract “E” South Port St. Lucie Unit Fifteen)

The Toscana project is located on the west side of S. U. S. Hwy 1, east of SE Morningside Boulevard, and south of SE Lyngate Drive. The overall project includes 252 luxury apartments on 14.59 acres and 2.3 acres of commercial development. This 1.55-acre commercial property is adjacent to the abovementioned apartments and in close proximity to the hospital, medical and business offices, MIDFLORIDA Event Center and other apartment complexes.

The existing future land use designations of the entire site (16.89 acres) site are RH (Residential, High Density)/CG (Commercial General)/OSC (Open Space Conservation). This application proposes to amend the future land use map amendment for the 1.55 acres to include are **RH (Residential, High Density)**/Commercial Services (RH/CS). The proposed land use will allow for a self-storage facility with retail uses on the 1.55-acre parcel. The zoning is Planned Unit Development (PUD) and that PUD will be amended to reference the proposed use and architecture of the building.

**JUSTIFICATION STATEMENT FOR A
COMPREHENSIVE PLAN AMENDMENT TO INCLUDE THE COMMERCIAL SERVICE (CS)
FUTURE LAND USE DESIGNATION FOR
PARCEL 3, SECOND REPLAT OF TRACT "E" SOUTH PORT ST. LUCIE UNIT FIFTEEN**

Site Information

The subject property is 1.55 acres and is located on the west side of South U.S. Highway 1 and the east side of SE Morningside Blvd, just south of SE Lyngate Dr. The property currently has existing future land use designations of RH (Residential, High Density)/CG (Commercial General)/OSC (Conservation Open Space). This request would amend the future land use designation to Residential, High Density/Commercial Service (RH/CS).

The development is to be comprised of 4-story storage building with 94,661 square feet. The facility will provide the area, including the recently constructed apartments and the medical and business offices in the vicinity with self-storage. This site is in close proximity to many jobs, community activities such as the Port St. Lucie Civic Center and miles from the Treasure Coast beaches.

There are two access points into the project are proposed off of U.S. Highway 1. The project's northerly most entrance will be a shared access with Atria Port St. Lucie to the north of the site. Approximately 385' south of the north access is the main entrance to the commercial parcels and the arrival drive to the multi-family clubhouse.

A public transit stop exists 0.15 miles north of the site at the intersection of SE Lyngate Drive and South U.S. Highway 1. Another transit stop is located 0.75 mile south of the site, across South U.S. Highway 1 on Jennings Rd.

Over 50% of the site has been allocated for Open Space. The landscape buffers widths vary. The east landscape buffer is 10 feet wide, the north buffer is 25 feet wide, the west side of the site has a 50 foot wide native buffer will be preserved along SE Morningside Blvd and the south landscape buffer is 30 feet.

Proposed Development Uses: The Toscana at Port Saint Lucie PUD is a residential multifamily community. The 14.59 acre community will include several compatible such as recreation areas, lake tracts, preservation areas and open space. There will be 2.3 acres of general commercial development.

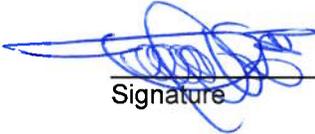
June 27, 2023

City of Port St. Lucie
121 SW Port St. Lucie Boulevard
Port St. Lucie FL 34984

Toscana SLC, LLC
101 Pugliese's Way, FL 2
Delray Beach FL 33444

RE: Toscana Comprehensive Plan Amendment and PUD Amendment

Please be advised that David Cloran of TOSCANA SLC, LLC hereby authorizes HJA Design Studio, LLC to act as its agent relative to the above referenced project and approval process, and to submit any applications or related materials with respect thereto.

 VP

Signature

David Cloran _____
Print Name

Vice President _____
Title

June 27, 2023 _____
Date

To be filled out by Notary:

The foregoing instrument was acknowledged before me this 27th day of June

2023 by David Cloran _____, as Vice President _____ of
(Name) (Title)

TOSCANA SLC, LLC _____, a Delaware _____ Limited Liability Company, on
(Company Name) (State)

behalf of the company who is personally known to me or has produced proper identification.

(Notary Seal or Stamp)



Signature  _____

Notary Public-State of Florida

Print Name _____

My Commission Expires _____

Prepared by, Record and Return to
Doug Marek, Esq.
Doug Marek, P.A.
101 Pineapple Grove Way, 2nd Floor
Delray Beach, FL 33444
561 454-1610

Parcel ID #3422-576-0002-000/9

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made the 9th day of October 2020, by SIX DIAMONDS REALTY, LLC, a Florida limited liability company whose post office address is 9580 South Federal Highway, Port St. Lucie, FL 34952 ("Grantor"), to TOSCANA SLC, LLC, a Delaware limited liability company, whose post office address is 101 Pugliese's Way 2nd Floor, Delray Beach, FL 33444 ("Grantee"). (Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee, all that certain land situate in St. Lucie County, Florida, viz:

Parcel B, First Replat of Tract E, South Port St. Lucie Unit Fifteen, according to the map or plat thereof as recorded in Plat Book 37, Page 1, Public Records of St. Lucie County, Florida

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND Grantor hereby covenants with Grantee that Grantor is lawfully seized of said land in fee simple; that Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF Grantor has caused these presents to be executed in its name, and its company seal to be hereunto affixed, by its proper officer thereunto duly authorized, the day and year first above written.

SIX DIAMONDS REALTY, LLC, a Florida limited liability company

By: Caren Marder
Caren Marder, Manager

Signed, sealed and delivered in the presence of:

[Signature]
Witness #1 - signature
How C King
Witness #1 - printed name
[Signature]
Witness #2 - signature
Caren J Marder
Witness #2 - printed name

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 9th day of October 2020, by Caren Marder, as Manager of Six Diamonds Realty, LLC, a Florida limited liability company and who is personally known to me.



Notary Public, State of Florida



Tracey Prazer
State of Florida
My Commission Expires 06/20/2022
Commission No. GG 230730

1888-002 7470



Port St. Lucie Police Department

February 23, 2023

Patti Tobin, Project Manager
HJA Design Studio
50 E. Ocean Boulevard
Suite 101
Stuart, Florida 34994



CITY OF PORT ST. LUCIE

John A. Bolduc
Chief of Police

www.cityofpsl.com

Headquarters

(772) 871-5001
(772) 871-5251/Facsimile
(772) 871-5029/Hearing Impaired
121 S.W. Port St. Lucie Boulevard
Port St. Lucie, FL 34984

**Subject: Toscana Project: Comprehensive Plan Amendment
Capacity Letter for Police Protection**


Dear Ms. Tobin,

Allow this capacity letter to serve as the Port St. Lucie Police Department's assurance that this agency will afford police protection at the projected development of which your firm, HJA Design Studio, represents. More specifically, the comprehensive plan amendment for the Toscana project, whereas the property owner desires to add a future land use designation to the property to ultimately allow self-storage as a permitted use on the southern commercial piece. The property is in the City of Port St. Lucie, on U.S. Highway 1, between S.E. Lyngate Drive and S.E. Jennings Road. The parcel identification numbers for the property are 4401-714-0001-000-2, 4401-714-0002-000-9, 4401-714-0003-000-6, and 4401-714-0004-000-3.

The Port St. Lucie Police Department is a full-service agency established in 1980 and is an accredited agency, both nationally and state. Our agency currently serves over 224,900 residents in over 120 square miles in St. Lucie County on Florida's east coast, about 50 miles north of West Palm Beach, halfway between Miami and Orlando.

The department's general response time to an emergency call for service within the city limits is generally six to seven minutes. Our department has one facility at 121 S.W. Port St. Lucie Boulevard, which intersects with S.W. Airoso Boulevard.

The department has an authorized sworn staff of 287 law enforcement officers, 68 civilian employees, and 12 animal control officers. Currently, the ratio of officers per thousand residents is 1.16. Our department prides itself on a culture of prevention rather than reaction. Due to this positive mindset and our Stratified Policing concepts, our department has remained one of Florida's safest cities for a population of over 75,000 residents for seven years and again for over 100,000 for 12 consecutive years.

Should you require further information about your proposed residential community, don't hesitate to contact my office at 772-344-4278.

Sincerely,

John A. Bolduc
Chief of Police

An Equal Opportunity Employer



An Internationally Accredited
Law Enforcement Agency

Melissa Jungjohan

From: Patti Tobin <ptobin@hjadstudio.com>
Sent: Friday, February 17, 2023 12:02 PM
To: Melissa Jungjohan
Subject: Toscana Project - Comp Plan Amendment
Attachments: Capacity -Police.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Melissa,

Hi there! Hope you're doing well. I am working on a comprehensive Plan amendment for the Toscana project. The property owner desires to add a future land use designation to the property to ultimately allow self-storage as a permitted use on the southern commercial piece.

This application requires the submittal of a capacity letter for police protection. I have attached the capacity letter prepared in 2019. The parcel identification numbers for the property are 4401-714-0001-000-2, 4401-714-0002-000-9, 4401-714-0003-000-6 and 4401-714-0004-000-3.

My goal is to submit this comp plan amendment by the end of the month, if possible. If you have any questions, feel free to contact me. Thanks for your help.

Sincerely,

Patti Tobin

Project Manager

[Follow us on Facebook!](#)

(o)772-678-7200 Ext 212

HJA Design Studio

50 E. Ocean Blvd., Suite 101

Stuart, Florida 34994

<http://www.hjadesignstudio.com>

ptobin@hjadstudio.com



"A City for All Ages"

CITY OF PORT ST. LUCIE

Public Works Department

Accredited Agency – American Public Works Association

February 22, 2023

Sent via email:

ptobin@hjadstudio.com

Michael Houston
HJA Design Studio
50 E. Ocean Blvd., Suite 101
Stuart, FL 34994

**Re: Toscana Development
Authorization to Discharge into City B-5 Canal**

Dear Mr. Houston:

The City of Port St. Lucie owns the stormwater canal B-5 located on the south side of the proposed Toscana Development on Parcel Id's 4401-714-0001-000-2, 4401-714-0002-000-9, 4401-714-0003-000-6 and 4401-714-0004-000-3. If a South Florida Water Management District permit is granted for the development of this site, the City of Port St. Lucie dhas no objections allowing the Stormwater discharge into the Stormwater canal, provided the project's Stormwater management system meets the required drainage standards.

Should you have any questions regarding this information, please do not hesitate to contact our office.

Sincerely,

Colt Schwerdt, P.E.
Assistant Public Works Director



**PORT ST. LUCIE
UTILITY SYSTEMS DEPARTMENT**

1001 SE Prineville Street
Port St. Lucie, FL 34983
(772) 873-6400
utility.cityofpsl.com

Kevin R. Matyjaszek, Director

February 21, 2023

Via e-mail: ptobin@hjadstudio.com

Michael Houston
HJA Design Studio
50 E. Ocean Blvd., Suite 101
Stuart, Florida 34994

Re: Proposed project for 5312: The Mason Toscana at Port St. Lucie project for
Parcel 4401-714-0004-000-3

Water and Sewer Availability

Dear Mr Houston:

Regarding your request dated February 21, 2023; this is to confirm that the referenced project is within the City of Port St. Lucie Utility Systems Department service area. A public water main and a public sewer line are adjacent to the above property. Attached is some recent treatment plant capacity data for your use.

Please be advised that water and sewer system extensions may be required to serve the property.

This should not be construed as a commitment to provide service until approvals by all regulatory agencies have been obtained; construction plans are approved; a Service Agreement has been fully executed; and all applicable fees have been paid to the City of Port St. Lucie Utility Systems Department.

Should you have any questions or require additional information, please feel free to contact our office by my email indicated with this letter.

Sincerely,

Matthew Reaver, P.E.
Professional Engineer

c: Kevin Matyjaszek, Utility Director
Laney Southerly, P.E., Utility Engineering Manager
Michele Holler, BSOM, Project Manager
File

Att: Latest Data form for Plant Capacity



PORT ST. LUCIE
UTILITY SYSTEMS DEPARTMENT
 1001 SE Prineville Street
 Port St. Lucie, FL 34983
 (772) 873-6400
 utility.cityofpsl.com

Kevin R. Matyjaszek, Director

DATA SHEET FOR PERMIT APPLICANTS
December 2022

Please refer to the following information when completing Part I G-H and Part III B of FDEP Notice Of Intent To Use the General Permit For Construction Of Water Main Extensions For PWSs, DEP Form 62-555.900(7).

Part I. General Project Information

G. Public Water System (PWS) Supplying Water to Project:

PWS Name:	PRINEVILLE /JEA WATER TREATMENT PLANT
PWS Identification No.:	4560954-01, 02
PWS Type:	Community
PWS Owner:	City of Port St. Lucie Utility Systems Department
Contact Person:	Kevin Matyjaszek
Title:	Director
Mailing Address:	1001 SE Prineville Street Port St. Lucie, FL 34983
Telephone Number:	(772) 873-6400
Fax Number:	(772) 873-6405
E-Mail Address:	KMatyjaszek@cityofpsl.com

H. Public Water System (PWS) that Will Own Project After It Is Placed into Permanent Operation

PWS Name:	PRINEVILLE/PSLU JEA WATER TREATMENT PLANTS
PWS Identification No.:	4560954-03
PWS Type:	Community
PWS Owner:	City of Port St. Lucie Utility Systems Department
Contact Person:	Kevin Matyjaszek
Title:	Director
Mailing Address:	1001 SE Prineville Street Port St. Lucie, FL 34983
Telephone Number:	(772) 873-6400
Fax Number:	(772) 873-6405
E-Mail Address:	KMatyjaszek@cityofpsl.com

Part III. Certifications

B. Certification by PWS Supplying Water to Project

Name(s) of Water Treatment Plant(s) to Which this Project Will Be Connected:

Prineville /PSLU JEA Water Treatment Plant

Total Permitted Maximum Day Operating Capacity of Plant(s): 41,650,000 gpd

Total Maximum Day Flow at Plant(s) as Recorded on Monthly Operating Reports During Past 12 Months: 23,430,000 gpd

C. Certification by PWS that Will Own Project After It Is Placed into Permanent Operation

This section is to be prepared for the signature of Kevin Matyjaszek, Utility Systems Director.

Please refer to the following information when completing Part III (3) of FDEP Notification / Application For Constructing A Domestic Wastewater Collection/Transmission System, DEP Form 62-604.300(8)(a).

GLADES WASTEWATER TREATMENT PLANT

City of Port St. Lucie	
St. Lucie County	
System Owner	City of Port St. Lucie Utility Systems Department
FDEP Facility ID #	FLA326321
FDEP Permit #	FLA326321 (Expiration Date 04/01/24)
Maximum Monthly Average Daily Flow (last twelve months)	6.226 mgd
Maximum Three-Month Avg. Daily Flow (last twelve months)	6.150 mgd
Current Permitted Capacity	12.0 mgd (TMADF)
Current Outstanding Committed Flows	0.742 mgd

WESTPORT WASTEWATER TREATMENT PLANT

City of Port St. Lucie	
St. Lucie County	
System Owner	City of Port St. Lucie Utility Systems Department
FDEP Facility ID #	FLA139653
FDEP Permit #	FLA139653 (Expiration Date 09/17/25)
Maximum Monthly Average Daily Flow (last twelve months)	5.791 mgd
Maximum Three-Month Avg. Daily Flow (last twelve months)	5.717 mgd
Current Permitted Capacity	6.00 mgd (TMADF)
Current Outstanding Committed Flows	0.096 mgd

The permit application is to be prepared, Part III, (2) & (3), for the signature of:

Kevin Matyjaszek, Utility Systems Director
1001 SE Prineville Street
Port St. Lucie, FL 34983
Phone: (772) 873-6400, Fax: (772) 873-6405
E-mail: KMatyjaszek@cityofpsl.com

Should you have any questions or require additional information, please contact Joe Presti at (772) 873-6450, or by E-mail at Jpresti@cityofpsl.com.



August 2, 2023

Mr. Alejandro Zurita
The Pugliese Company
101 Pugliese's Way, Suite 200
Delray Beach, FL 33444

Re: Pugliese US-1

Dear Mr. Zurita:

O'Rourke Engineering & Planning has completed the analysis of the impact of the change in land use for a 1.55-acre parcel of land on US-1 in Port St. Lucie, Florida. **Attachment A** shows the proposed project location and parcel information.

The purpose of this letter report is to evaluate the impact of the proposed change in land use. This analysis will demonstrate that the proposed change has no change in traffic on the roadway network.

The steps in the analysis and the ensuing results are presented herein.

Project Description

The project currently consists of 1.55 acres of land with a future land use designation of General Commercial (CG). The current land use designation allows for many different uses with a building coverage of 40% and maximum height of 35 feet. The highest traffic generator for a multi-level commercial development is medical office. Based on the coverage, height and floor area; 81,021 square feet of medical office would be possible.

The proposal is to change the future land use to Service Commercial (CS) on 1.55 acres. Service Commercial allows all of the uses in General Commercial with a few exceptions and also adds additional uses consisting of manufacturing and warehousing uses. Manufacturing and warehousing uses generate less trips than the already available commercial and office uses. Therefore, we again used medical office on multiple floors for the 1.55 acres. Service Commercial allows for 40% building coverage and a maximum building height of 35 feet. Based on the coverage, height, and floor area, 81,021 square feet of medical office would also be possible under the Service Commercial land use.

Attachment B provides land use and zoning information for Port St. Lucie.

Project Traffic

To estimate traffic generated by the allowed uses in the existing and proposed conditions, the ITE Trip Generation, 11th Edition trip rates were applied to the uses as described above. The trip generation for the existing future land use is summarized in **Table 1**. The trip generation for the Proposed Future land use is summarized in **Table 2**. **Table 3** summarizes the net difference in trip generation. As shown, the change in land use will result in the same number of trips for the Daily, AM and PM Peak Hours.

Roadway Network

- US-1 is a six-lane divided major arterial with a north/south alignment. US-1 is included in the 2045 Long Range Plan for operational improvements.
- Lyngate Drive is a two-lane divided local roadway with an east/west alignment.
- Tiffany Avenue is a four-lane divided collector with an east/west alignment.

Information on the roadway network including non-motorized features is included in **Attachment C**.

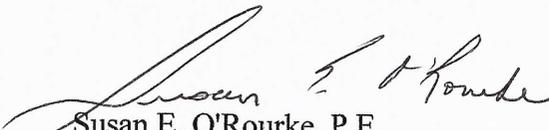
Conclusion

Since the project traffic will remain the same as a result of the land use plan amendment, additional analyses are not required.

It has been a pleasure working with you. If you have any questions or comments, please give me a call.

Respectfully submitted,

O'ROURKE ENGINEERING & PLANNING



Susan E. O'Rourke, P.E.

Registered Civil Engineer – Traffic

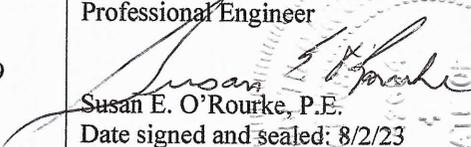
Prepared by: O'Rourke Engineering & Planning Certificate of Authorization: #26869 22 SE Seminole Street Stuart, Florida 34994 772-781-7918	Professional Engineer  Susan E. O'Rourke, P.E. Date signed and sealed: 8/2/23 License #: 42684
---	--

Table 1 - Existing Future Land Use-CG

Table 1a: Daily

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Medical Office	720	81,021	Sft	$T = 42.97(X) - 108.01$	50%	50%	1,687	1,686	3,373
TOTALS							1,687	1,686	3,373

Source: ITE 11th Edition Trip Generation Rates

Table 1b: AM Peak Hour

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Medical Office	720	81,021	Sft	$\ln(T) = 0.90 \ln(X) + 1.34$	79%	21%	157	42	199
TOTALS							157	42	199

Source: ITE 11th Edition Trip Generation Rates

Table 1c: PM Peak Hour

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Medical Office	720	81,021	Sft	$T = 4.07(X) - 3.17$	30%	70%	98	229	327
TOTALS							98	229	327

Source: ITE 11th Edition Trip Generation Rates

3

Table 2 - Proposed Future Land Use-CS

Table 2a: Daily

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Medical Office	720	81,021	Sft	$T = 42.97(X) - 108.01$	50%	50%	1,687	1,686	3,373
TOTALS							1,687	1,686	3,373

Source: ITE 10th Edition Trip Generation Rates

Table 2b: AM Peak Hour

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Medical Office	720	81,021	Sft	$\ln(T) = 0.90 \ln(X) + 1.34$	79%	21%	157	42	199
TOTALS							157	42	199

Source: ITE 10th Edition Trip Generation Rates

Table 2c: PM Peak Hour

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Medical Office	720	81,021	Sft	$T = 4.07(X) - 3.17$	30%	70%	98	229	327
TOTALS							98	229	327

Source: ITE 10th Edition Trip Generation Rates

Table 3 - Net Change in Trips

Table 3a- Daily

Description	Daily Net Trips		
	In	Out	Total
Proposed FLU	1,687	1,686	3,373
Existing FLU	1,687	1,686	3,373
Net Change	0	0	0

Table 3b- AM Peak Hour

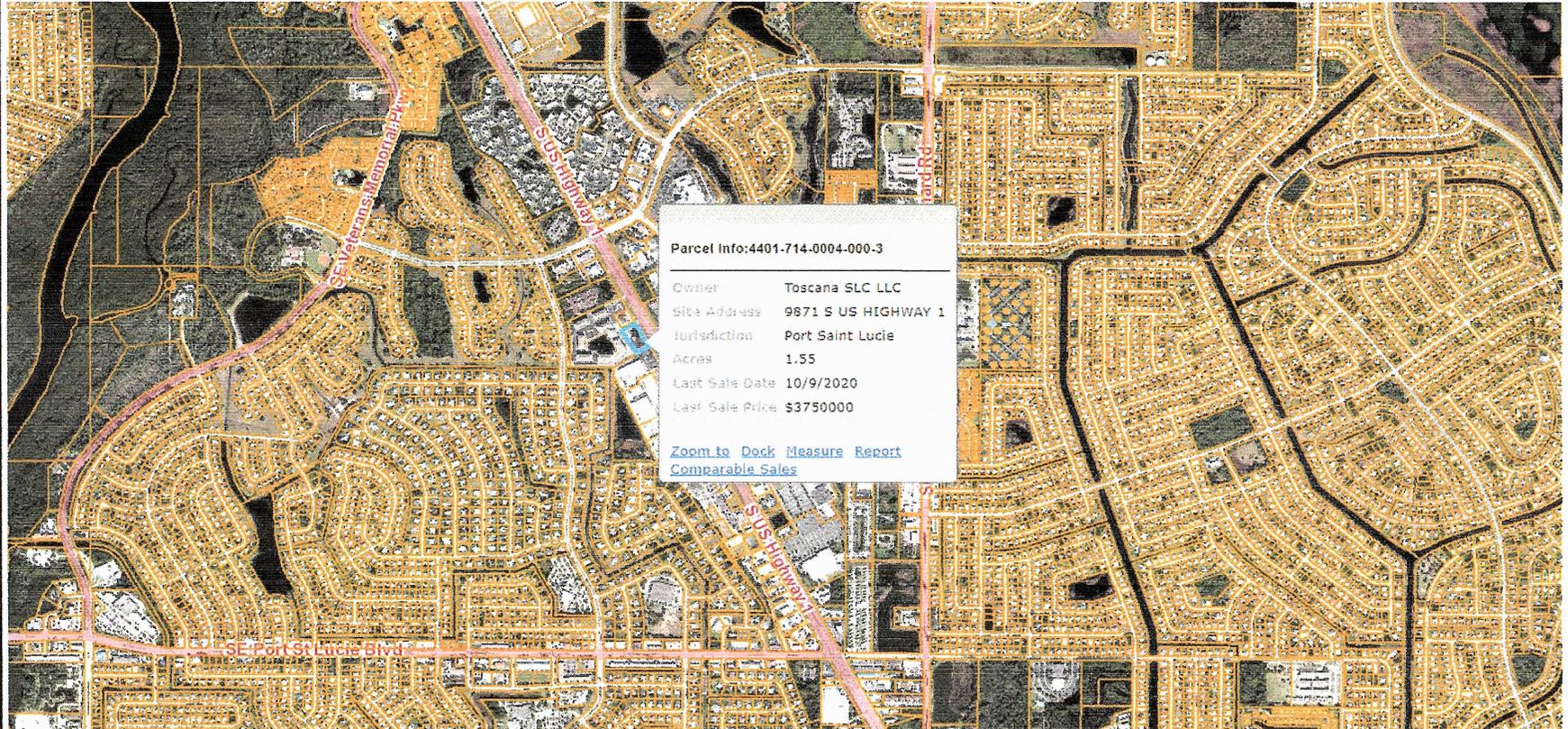
Description	AM Net Trips		
	In	Out	Total
Proposed FLU	157	42	199
Existing FLU	157	42	199
Net Change	0	0	0

Table 3c - PM Peak Hour

Description	PM Net Trips		
	In	Out	Total
Proposed FLU	98	229	327
Existing FLU	98	229	327
Net Change	0	0	0

ATTACHMENT A

PROJECT LOCATION & PARCEL INFORMATION



 NTS	 22 SE Seminole Street Stuart, Fl, 34994
Job Number:	Date:

Legend

Figure 1
Parcel Information
Pugliese US-1

Property Identification

Site Address: 9871 S US HIGHWAY 1
Sec/Town/Range: 01/37S/40E
Parcel ID: 4401-714-0004-000-3
Jurisdiction: Port Saint Lucie

Use Type: 1000
Account #: 189036
Map ID: 44/01S
Zoning: Planned Un

Ownership

Toscana SLC LLC
101 Puglieses WAY Fl 2
Delray Beach, FL 33444

Image
or
Sketch
unavailable
for display

Legal Description

SECOND REPLAT OF TRACT E SOUTH PORT ST LUCIE UNIT FIFTEEN
(PB 90-38) TRACT 3 (1.55 AC - 67,518 SF)

Current Values

Just/Market Value:	\$212,700
Assessed Value:	\$212,700
Exemptions:	\$0
Taxable Value:	\$212,700

Property taxes are subject to change upon change of ownership.

- Past taxes are not a reliable projection of future taxes.
- The sale of a property will prompt the removal of all exemptions, assessment caps, and special classifications.

Taxes for this parcel: [SLC Tax Collector's Office](#)
Download TRIM for this parcel: [Download PDF](#)

Total Areas

Finished/Under Air (SF):	0
Gross Sketched Area (SF):	0
Land Size (acres):	1.55
Land Size (SF):	67,518

Building Design Wind Speed

Occupancy Category	I	II	III
Speed	140	160	170
Sources/links:			

All information is believed to be correct at this time, but is subject to change and is provided without any warranty.
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ATTACHMENT B

LAND USE AND ZONING EXERPTS

multifamily dwelling units. Where an area designated RGC is part of a “multiuse” Development of Regional Impact (DRI) which meets or exceeds the guidelines and standards of Section 380.0651(3)(i), F.S. and Rule 28-24.032(2), F.A.C., and contains at least 100 residential dwelling units or 10% of the applicable residential threshold in St. Lucie County, whichever is greater, and otherwise meets the criteria of Section 163.3180(5), F.S., such DRI may satisfy the transportation concurrency requirements of the City of Port St. Lucie Comprehensive Plan, the City of Port St. Lucie’s concurrency management system and Chapter 380, F.S., by payment of a proportionate share contribution that is sufficient to pay for one or more required improvements that will benefit a regionally significant transportation facility. The proportionate share contributions shall be determined in accordance with the proportionate share methodology of Section 163.3180(5).

Policy 1.1.4.2: The City shall provide the following commercial land use designation for commercial development (a detailed description of each is provided for in the land use element text):

- a. Residential, Office and Institutional (ROI). A mixed use category to serve development along major corridors as transitional land uses between more intensive commercial areas.
- b. Commercial Limited (CL). Commercial sites accessible to major thoroughfares near residential neighborhoods. Intended to provide essential household services with certain restrictions on more intensive uses such as gasoline stations, fast foods, automotive services, department stores, etc. as stipulated by the zoning code.
- c. Office (O). A category designated to provide a limited land use accommodating primarily office uses. This category can also provide another option as a transitional land use between more intensive commercial areas.
- d. Commercial General (CG). Designated to accommodate general retail sales and services with restrictions on heavy vehicular sales, services, wholesale, warehouse uses, outdoor storage, or other nuisance uses.
- e. Commercial Service (CS). Intended for the most intensive commercial development including wholesale, warehouses, vehicle sales, lumber yards, etc. Adequate buffering is required based on site plan reviews.
- f. Commercial Highway (CH). Highway oriented commercial uses designed to service the traveling public and located adjacent to major arterials.

Policy 1.1.4.3: The City shall provide the following industrial land uses:

- a. Light Industrial (LI). Primarily for light manufacturing and assembling warehousing and storage. Excludes the more intensive industrial uses as defined in the zoning code.
- b. Heavy Industrial (HI). Uses with access to major transportation corridors and allows for traditionally more intensive industrial uses, as well as those within the LI designation. Large scale manufacturing and assembling, citrus processing and other intensive uses as defined by the zoning code. Standards shall be included in the zoning code to prohibit harmful materials and wastes.

Both land use categories shall be controlled through appropriate zoning regulations which address concerns such as buffering and limitations on uses considered hazardous or a nuisance.

Office/Com ²	N/A	40%	35/75*feet	80%
NCD-New Community District ³	1-35du/acre***	60%/80%	35/50/100/150 feet***	80%/90%
O (Office)	N/A	40%	35/75* feet	80%
CL (Limited Commercial)	N/A	40%	35 feet	80%
CG (General Commercial) ⁴	N/A	40%	35/75*/120** feet	80%
CS (Service Commercial)	N/A	40%	35 /75* feet	80%
CH (Highway Commercial)	N/A	40%	50 feet	80%
I (Institutional)	N/A	30%	35/75*feet	80%
U (Utility)	N/A	30%	50 feet	80%
OSR (Open Space Recreation)	N/A	30%	35 feet	80%
OSC (Open Space Conservation)	N/A	10%	35 feet	20%
OSP (Open Space Preservation)	N/A	10%	35 feet	20%
LI (Light Industrial)	N/A	50%	35/75* feet	80%
HI (Heavy Industrial)	N/A	50%	35/75* feet	80%
MU (Mixed Use)	1-11du/acre	60%	35/75*feet	80%
PIP (Planned Industrial Park)	NA	50%	35/75*feet	80%

N/A - Not Applicable

¹Impervious coverage is subject to upland preservation as required by land development regulations. 80% coverage may not always be possible if 25% of the site consists of native upland vegetation.

²Office/Com. Per LMD zoning allows up to 50% retail personal service related, or a maximum of 5,000 sf, in conjunction with other office uses.

³See the Objectives and Policies contained under Goal 1.2 for provisions related to the NCD – New Community Development District.

⁴Commercial districts allow for one dwelling unit for owner/manager through special exception public hearing process.

*Within a PUD, greater than five acres, the maximum height permitted is 75 feet. All such height requests are contingent upon the approval of a master plan and elevation drawings which illustrate that the proposed height is compatible with the surrounding land uses. The applicant is required to provide adequate information to support the compatibility of the proposed taller structures with the surrounding land uses.

**The maximum height for commercial, uses within a PUD located in the Port St. Lucie Community Redevelopment Area may be 120 feet or 10 stories, whichever is less. All such height requests are contingent upon the approval of a master plan and elevation drawings which illustrate that the proposed height is compatible with the surrounding land uses. The applicant is required to provide adequate information to support the compatibility of the proposed taller structures with the surrounding land uses.

***The 35 dwelling units per acre maximum density allowance and 150 foot maximum height limit are only permitted in the Regional Business Centers. The 150 foot maximum height shall also be permitted for hospital uses in Employment Centers.

Policy 1.1.4.11: The City Council may limit the densities or intensities to less than the maximums allowed by Policy 1.1.4.10. These limitations shall be illustrated on the Future Land Use Map and included in the adopting ordinance. If the property owner desires to increase the density or intensity limitation imposed by an ordinance amending the Future Land Use Map, a new comprehensive plan future land use amendment application shall be submitted and reviewed pursuant to the amendment procedures outlined in Chapter 163, F.S. Or 94-54 10/94.

Policy 1.1.4.12: A manual shall be established to implement conversion areas of the Future Land Use Map. It shall include development of performance standards to allow conversions and include variance procedures for exception to such standards only in appropriate locations. The Planning and Zoning Board shall review these variance requests and forward a recommendation to the City Council for final approval or denial authority regarding such requests. Ord. 95-48 11/95.

Policy 1.1.4.13: The following conversion chart is established to illustrate compatible land use and zoning categories:

<u>FUTURE LAND USE CLASSIFICATION</u>	<u>COMPATIBLE ZONING DISTRICT(S)</u>
RGC (Residential Golf Course)	PUD, GU, I
RL (Low Density Residential)	GU, RE, RS-1 through RM-5, RMH
RM (Medium Density Residential)	RM-5 or Residential PUD (Planned Unit Development) between 5-11 units per acre
RH (High Density Residential)	RM-5 or Residential PUD (Planned Unit Development) between 5-15 units per acre, I
ROI (Residential, Office & Institutional)	P, LMD, RM-5 or Residential PUD (Planned Unit Development) between 5-11 units per acre
NCD (New Community Development)	MPUD, GU, OSC
O (Office)	P
CL (Limited Commercial)	GU, CN, P, LMD
CG (General Commercial)	CN, CG, P, GU, LMD
CH (Highway Commercial)	CH, GU
CS (Service Commercial)	CS, GU, WI
I (Institutional, Private & Public)	I, GU
U (Utility)	U, GU
OSR (Open Space - Recreation)	OSR, GU
OSC (Open Space - Conservation)	OSC, GU
OSP (Open Space - Preservation)	OSC, GU
LI (Light Industrial)	WI, GU, IN
HI (Heavy Industrial)	WI, GU, IN*
MU (Mixed Use)	PUD
PIP (Planned Industrial Park)	PUD

ATTACHMENT C

ROADWAY NETWORK INFORMATION

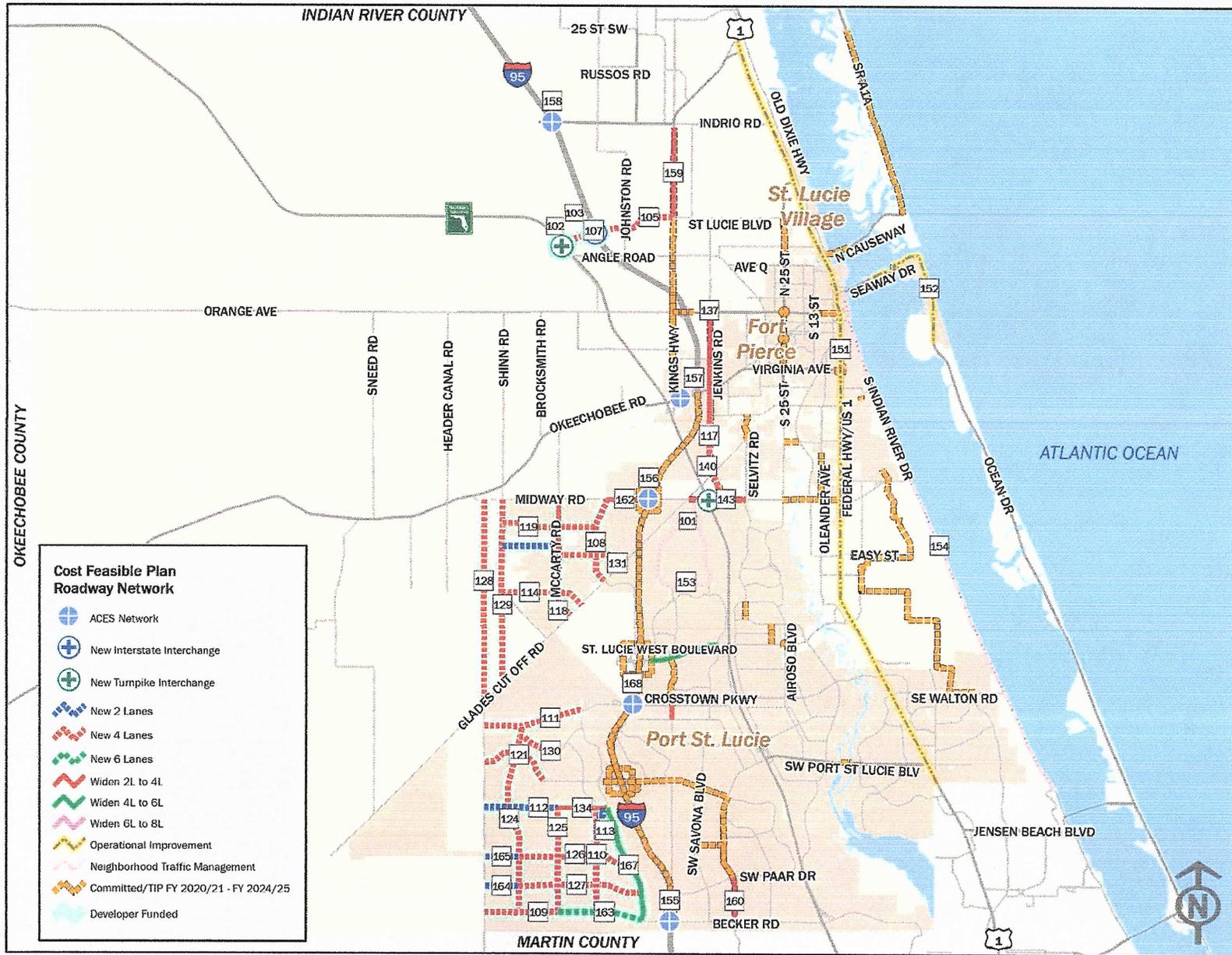


Figure 8-1. Cost Feasible Plan – Roadway Network

This is a 5-mile study area which provides sufficient population and competition to formulate this trading area.

There are 131,523 people with a median household income of \$63,007 and growth of 5.6%. The population and income are good, the growth is almost double the national average of 3%. There is Est growth of 1.8% in a 1-mile radius of the site.

On page 11 and 12 you will see the open capacity in a 3 mile and 5-mile radius for another storage facility Est square footage. Open capacity is determined by taking the total net rentable sqft overlap into the market (cannibalized market) and subtracting the total market size. Market size is determined by population x 8 sqft per person.

In the 3-mile radius page 10 its shows the market has an open capacity for 290,592 sqft and based on the Est population increase the market would have an open capacity of 306,363 sqft. In the 5 miles shown on page 11 the market has an open capacity for storage of 667,936 sqft and with the increase in population the market has room for an Est 726,741 sqft.

This shows that the market is drastically under supplied for self-storage.

Port St. Lucie is expected to continue growing as young families and baby boomers continue to move to the area. The people moving to the area come from larger urban areas and are familiar with a particular product when it involves self-storage. They want new climate-controlled facilities that have style and features.

The overall supply of storage is incredibly low. The incoming population needs more self-storage.

This project will provide the current and incoming community with the self-storage product they are accepting. Additional land will be available to provide a restaurant site, making the location a destination for the community.

This project will be an asset in good standing for years to come to the Port St. Lucie area.



Market Snapshot		
Number of self-storage facilities within 0 - 5 mi	12	
Closest Self-storage Facilities 0 - 5 mi		
Business Name	Address	Dist. (mi)
Devon Self Storage	3737 SE Jennings Rd	0.72
Life Storage	10725 S Federal Hwy	1.18
StorQuest Self Storage	1547 SE Village Green Dr	1.62
Extra Space	8531 S US Highway 1	2.32
A+ Storage	8350 S. US Hwy 1	2.45
CubeSmart	7680 Us-1	3.17
Snapbox	1849 SW South Macedo Blvd	4.14
Extra Space	1990 NW Federal Hwy 1	4.18
Prime Storage	528 NE Jensen Beach Blvd	4.20
Prime Storage	605 Kitterman Rd	4.54
Your Place for Space	656 Nw Buck Hendry Way	4.65
Devon Self Storage	600 NW Airoso Blvd	4.83
Top 10 Closest Retailers		
Name	Address	Dist. (mi)
Publix	9100 S Us Highway 1	1.16
Walmart	10855 S Us Highway 1	1.42
Publix	1125 Se Port St Lucie Blvd	1.47
Publix	4231 Nw Federal Hwy	2.15
Lowe's	4100 Northwest Federal H	2.38
The Home Depot	3451 Nw Federal Hwy	2.97
Publix	7576 S Us Highway 1	3.41
Target	2650 Nw Federal Hwy	3.62
Publix	1501 Nw Federal Hwy	4.70
Publix	1780 Ne Jensen Beach Blvc	5.17

Population & Household Summary			
Population - Radius			
	0 - 1 mi	0 - 3 mi	0 - 5 mi
2023 Population	9,299	57,886	131,523
Population Benchmark	10,000	50,000	100,000
Difference	(701)	7,886	31,523
Median Household Income	\$53,151	\$58,778	\$63,007
Income Benchmark	\$50,000	\$50,000	\$50,000
Difference	\$3,151	\$8,778	\$13,007
2023 Households	3,958	25,058	53,842
2023 Avg. Household Size	2.28	2.29	2.43
2023 Renter-Occupied Units	1,679 (42.4%)	1,679 (24.7%)	1,679 (23.7%)
Population Growth 2000-2010	10.7%	21.7%	29.9%
Population Growth 2010-2023	14.4%	17.0%	20.6%
Population Growth 2023-2028	1.8%	3.4%	5.6%
Population Growth 2028-2033	5.8%	6.6%	7.6%
Population - Drivetime			
	0-3 min	0-5 min	0-10 min
2023 Population	5,986	18,117	67,520
Population Benchmark	10,000	50,000	100,000
Difference	(4,014)	(31,883)	(32,480)
Median Household Income	\$50,883	\$53,362	\$59,942
Income Benchmark	\$50,000	\$50,000	\$50,000
Difference	\$3,151	\$3,362	\$9,942
2023 Households	2,585	7,712	29,144
2023 Avg. Household Size	2.21	2.30	2.30
2023 Renter-Occupied Units	1,679 (46.3%)	1,679 (34.3%)	1,679 (26.0%)
Population Growth 2000-2010	8.3%	15.0%	25.7%
Population Growth 2010-2023	18.9%	16.3%	18.1%
Population Growth 2023-2028	1.8%	1.8%	4.3%
Population Growth 2028-2033	5.8%	5.8%	6.9%

Education & Race			
% Population by Educational Attainment (Age 25+)			
	0 - 1 mi	0 - 3 mi	0 - 5 mi
Highschool Grad or less	47.7%	43.6%	41.3%
Some College, no degree	21.6%	24.4%	23.3%
College Degree	19.2%	20.5%	22.7%
Higher Education	6.9%	6.6%	8.1%
0 - 3 mi			
% Population by Race			
	0 - 1 mi	0 - 3 mi	0 - 5 mi
White	55.0%	67.9%	65.7%
Black	16.8%	10.9%	12.2%
Asian	2.8%	2.3%	2.0%
Hispanic	21.4%	16.1%	17.2%
Other	3.9%	2.9%	2.9%
0 - 3 mi			

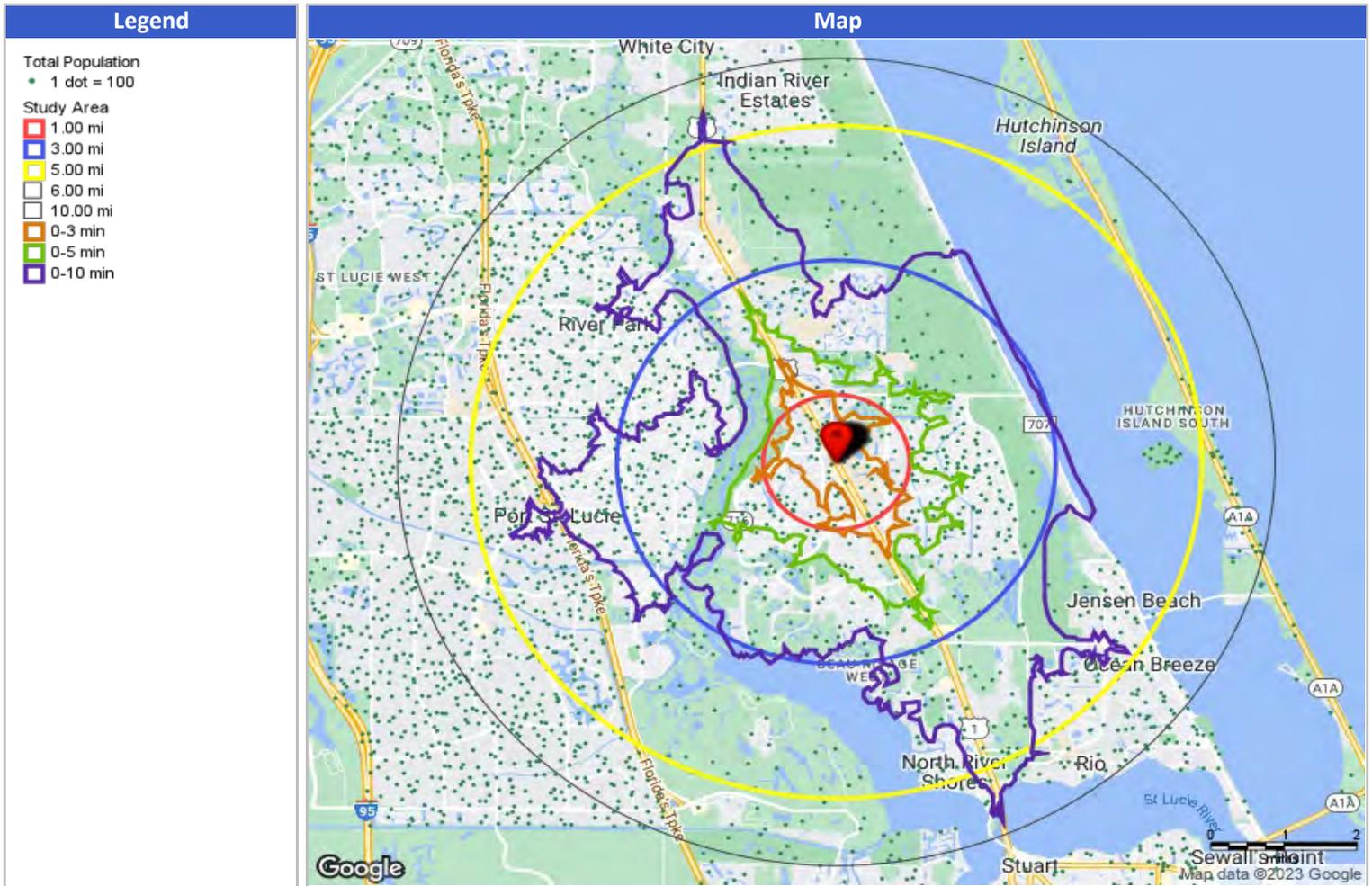
Household Income & Employee Salary		
	0 - 1 mi	0 - 3 mi
Avg. Household Income	\$66,838	\$72,796
Med. Household Income	\$53,151	\$58,778
Number of Households by Household Income 0 - 3 mi		
Employee Salaries		
	0 - 1 mi	0 - 3 mi
Avg. Employee Salary	\$58,509	\$50,690
Med. Employee Salary	\$45,558	\$42,398

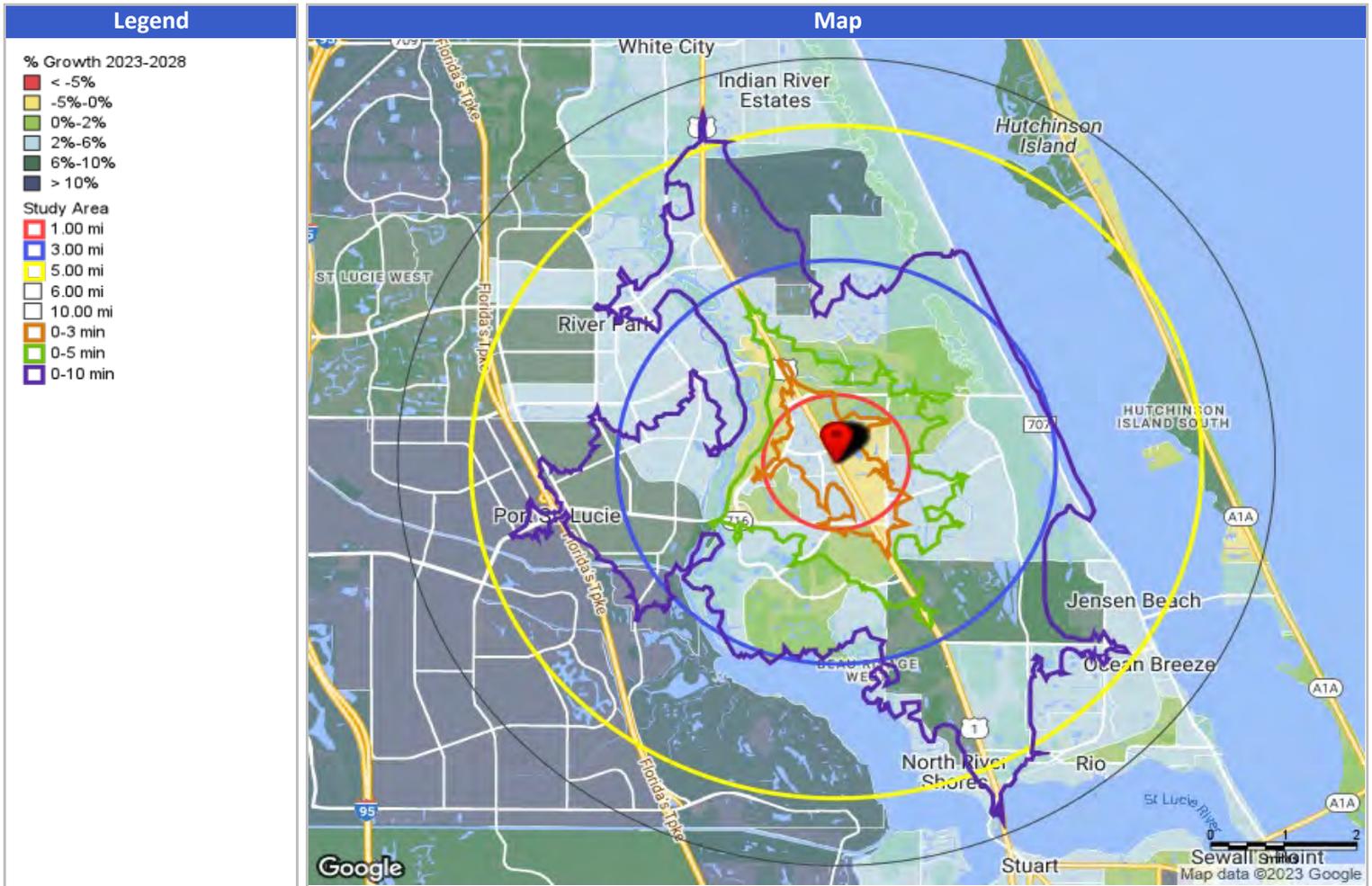
Industry Employees & Dwellings			
Employed Population by Industry			
	0 - 1 mi	0 - 3 mi	0 - 5 mi
Agr, frstry, hunt, mining/const	442	2,382	6,174
Manufacturing	122	1,244	3,313
Wholesale & retail trade	785	4,677	10,106
Transp, warehousing, & util	163	1,952	4,371
Information	59	402	1,223
Finance, insur, RE & lease	131	1,339	2,947
Prof, sci, mgmt, & admin	607	2,778	7,278
Educ, health & social services	1,117	5,786	14,433
Arts, ent, rec, wcom & food	575	2,796	6,032
Other services (ex pub admin)	297	1,669	3,375
Households by Wealth			
	0 - 1 mi	0 - 3 mi	0 - 5 mi
Under \$10,000	1,337	7,592	16,069
\$10,000 to \$24,999	267	1,599	3,406
\$25,000 to \$49,999	276	1,734	3,717
\$50,000 to \$99,999	409	2,662	5,705
\$100,000 to \$249,999	696	4,675	10,057
\$250,000 and Over	973	6,796	14,888
0 - 1 mi			

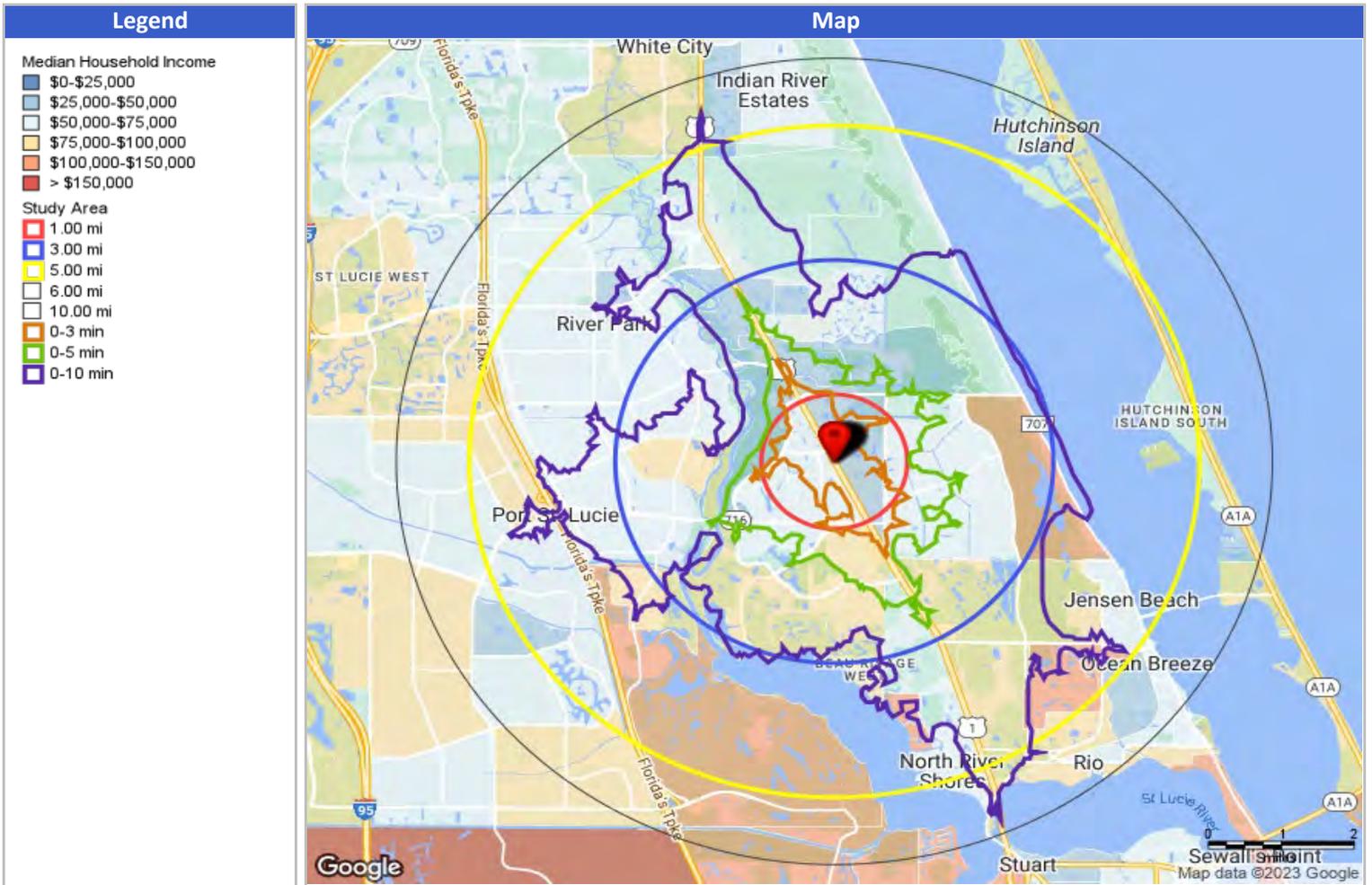
Household Value			
Number of Housing Units by Value			
	0 - 1 mi	0 - 3 mi	0 - 5 mi
< \$50 K	34	694	863
\$ 50-80 K	16	419	522
\$ 80-100 K	1	220	307
\$ 100-150 K	10	498	709
\$ 150-200 K	84	474	781
\$ 200-250 K	133	758	1,221
\$ 250-300 K	119	719	1,510
\$ 300-400 K	273	1,587	3,357
\$ 400-500 K	536	3,042	6,298
\$ 500-750 K	745	6,225	14,073
\$ 750 K +	293	4,011	10,131
0 - 3 mi			

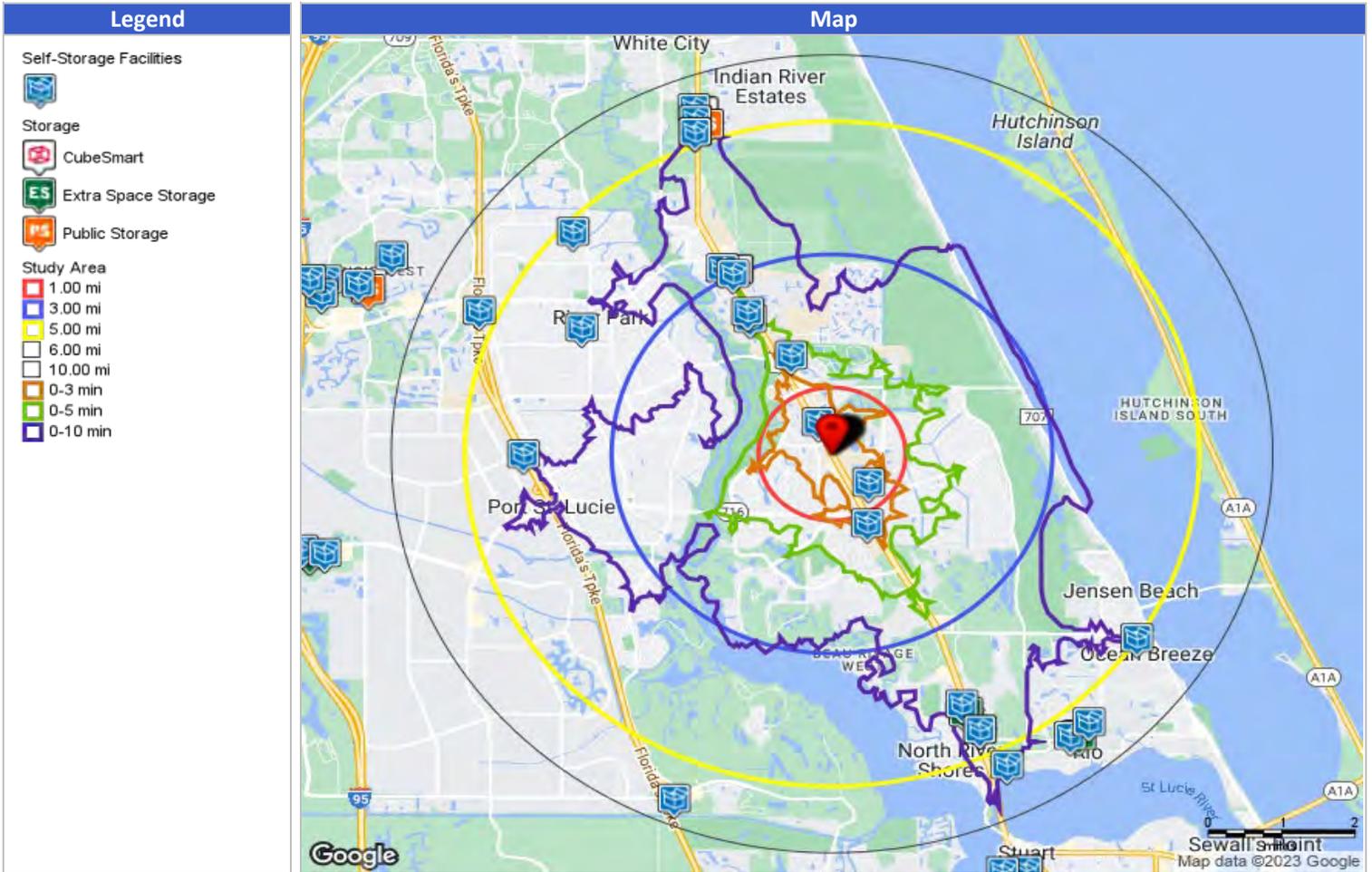
Demo Distribution		0 - 1 mi		0 - 3 mi		0 - 5 mi		0-3 min		0-5 min		0-10 min		
		Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	
POPULATION	Total Population													
	2000 Census	7,339		40,639		83,986		4,646		13,551		45,481		
	2010 Census	8,126		49,455		109,082		5,034		15,584		57,179		
	2023 Estimate	9,299		57,886		131,523		5,986		18,117		67,520		
	2028 Projection	9,466		59,857		138,874		6,093		18,439		70,412		
	2033 Forecast	10,018		63,835		149,441		6,445		19,516		75,284		
	Population Growth													
	Population Growth 2000-2010	10.73%		21.69%		29.88%		8.35%		15.00%		25.72%		
	Population Growth 2010-2023	14.43%		17.05%		20.57%		18.91%		16.25%		18.08%		
	Population Growth 2023-2028	1.80%		3.41%		5.59%		1.79%		1.78%		4.28%		
Population Growth 2028-2033	5.83%		6.65%		7.61%		5.77%		5.84%		6.92%			
RACE	Population by Race	9,299		57,886		131,523		5,986		18,117		67,520		
	White	5,115	55.0%	39,281	67.9%	86,453	65.7%	3,140	52.5%	11,240	62.0%	45,790	67.8%	
	Black	1,566	16.8%	6,294	10.9%	16,105	12.2%	1,062	17.7%	2,311	12.8%	7,544	11.2%	
	Asian	262	2.8%	1,309	2.3%	2,582	2.0%	167	2.8%	410	2.3%	1,481	2.2%	
	Hispanic	1,992	21.4%	9,340	16.1%	22,588	17.2%	1,415	23.6%	3,611	19.9%	10,757	15.9%	
	Other	364	3.9%	1,661	2.9%	3,795	2.9%	203	3.4%	544	3.0%	1,948	2.9%	
ETHNICITY	Population by Ethnicity	9,299		57,886		131,523		5,986		18,117		67,520		
	America	738	7.9%	5,117	8.8%	14,514	11.0%	476	7.9%	1,498	8.3%	6,439	9.5%	
	Hispanic	1,992	21.4%	9,340	16.1%	22,588	17.2%	1,415	23.6%	3,611	19.9%	10,757	15.9%	
	Asian	262	2.8%	1,309	2.3%	2,582	2.0%	167	2.8%	410	2.3%	1,481	2.2%	
	European	2,484	26.7%	21,640	37.4%	46,911	35.7%	1,470	24.6%	5,833	32.2%	25,341	37.5%	
	Middle Eastern	41	0.4%	199	0.3%	513	0.4%	22	0.4%	81	0.4%	239	0.4%	
	Other Ethnicity	2,398	25.8%	12,666	21.9%	27,170	20.7%	1,514	25.3%	4,302	23.7%	14,220	21.1%	
	Unclassified	1,383	14.9%	7,614	13.2%	17,245	13.1%	921	15.4%	2,381	13.1%	9,042	13.4%	

Demo Distribution		0 - 1 mi		0 - 3 mi		0 - 5 mi		0-3 min		0-5 min		0-10 min	
		Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
HOUSEHOLDS	Total Households												
	2000 Census	2,867		17,111		34,160		1,932		5,722		19,046	
	2010 Census	3,430		21,332		44,704		2,158		6,534		24,736	
	2023 Estimate	3,958		25,058		53,842		2,585		7,712		29,144	
	2028 Projection	4,034		25,906		56,741		2,635		7,851		30,366	
	2033 Forecast	4,277		27,624		60,998		2,793		8,317		32,454	
	Household Growth												
	Growth 2000-2010	19.65%		24.67%		30.87%		11.69%		14.19%		29.88%	
	Growth 2010-2023	15.39%		17.47%		20.44%		19.78%		18.03%		17.82%	
	Growth 2023-2028	1.91%		3.38%		5.38%		1.93%		1.81%		4.19%	
	Growth 2028-2033	6.03%		6.63%		7.50%		6.02%		5.93%		6.87%	
	Average Household Size	2.28		2.29		2.43		2.21		2.30		2.30	
	Estimated Housing Units by Tenure	4,868		29,534		63,888		3,269		9,236		34,350	
	Vacant Housing Units	910	18.7%	4,477	15.2%	10,046	15.7%	684	20.9%	1,524	16.5%	5,205	15.2%
	Occupied Housing Units	3,958	81.3%	25,058	84.8%	53,842	84.3%	2,585	79.1%	7,712	83.5%	29,144	84.8%
	Owner-Occupied	2,279	46.8%	18,878	63.9%	41,091	64.3%	1,388	42.5%	5,064	54.8%	21,578	62.8%
Renter-Occupied	1,679	34.5%	6,180	20.9%	12,751	20.0%	1,197	36.6%	2,648	28.7%	7,567	22.0%	
INCOME	Households by Income												
	Less than \$40,000	1,487	37.6%	8,489	33.9%	16,158	30.0%	1,040	40.2%	2,836	36.8%	9,786	33.6%
	\$40,000 to \$50,000	386	9.8%	2,292	9.1%	4,595	8.5%	232	9.0%	787	10.2%	2,533	8.7%
	\$50,000 to \$75,000	865	21.9%	5,040	20.1%	11,061	20.5%	592	22.9%	1,622	21.0%	5,816	20.0%
	\$75,000 to \$100,000	480	12.1%	3,713	14.8%	7,660	14.2%	260	10.1%	1,021	13.2%	4,197	14.4%
	\$100,000 to \$150,000	512	12.9%	3,679	14.7%	8,583	15.9%	293	11.3%	1,057	13.7%	4,285	14.7%
	\$150,000 to \$200,000	138	3.5%	1,208	4.8%	3,916	7.3%	98	3.8%	237	3.1%	1,603	5.5%
	\$200,000 to \$250,000	51	1.3%	357	1.4%	1,050	1.9%	40	1.5%	86	1.1%	518	1.8%
	Greater than \$250,000	39	1.0%	280	1.1%	820	1.5%	30	1.2%	67	0.9%	406	1.4%
	Median Household Income	\$53,151		\$58,778		\$63,007		\$50,883		\$53,362		\$59,942	
Average Household Income	\$66,838		\$72,796		\$82,078		\$65,989		\$66,422		\$75,821		







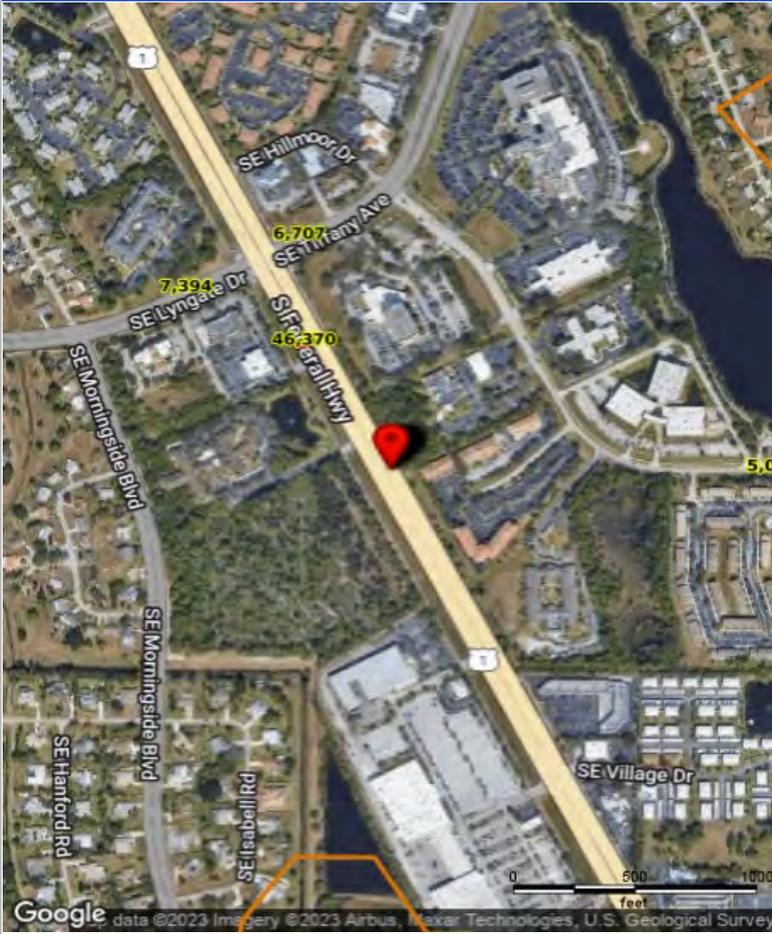


Business Name	Distance (mi)	Gross sq. ft.	% Climate	Net Rentable	Climate	Non-Climate	
Devon Self Storage	0.72	30960	25%	29,025	6,150	18,450	
Life Storage	1.18	109414	44%	97,378	32,186	40,964	
StorQuest Self Storage	1.62	46930	16%	45,053	4,761	24,993	
Extra Space	2.32	96982	72%	79,525	29,786	11,584	
A+ Storage	2.45	9750	100%	7,313	3,619	-	
Total Net Rentable SqFt Overlap Into Market:						172,493	
Total Market population 2023	Projected SS SF / person	Total SF	Total Market Size	Cannibalized Market Sf	Projected Open Capacity		
57,886	8.00	294,036	463,085	172,493	290,592	76,502	95,991
						44.4%	55.6%
Total Market population 2028	Projected SS SF / person	Total SF	Total Market Size	Cannibalized Market Sf	Projected Open Capacity		
59,857	8.00	294,036	478,856	172,493	306,363		

Business Name	Distance (mi)	Gross sq. ft.	% Climate	Net Rentable	Climate	Non-Climate
Devon Self Storage	0.72	30960	25%	29,025	6,591	19,774
Life Storage	1.18	109414	44%	97,378	36,423	46,356
StorQuest Self Storage	1.62	46930	16%	45,053	5,728	30,071
Extra Space	2.32	96982	72%	79,525	40,496	15,748
A+ Storage	2.45	9750	100%	7,313	5,054	-
CubeSmart	3.17	70350	73%	57,511	25,325	9,367
Snapbox	4.14	59775	21%	56,637	5,808	21,849
Extra Space	4.18	59629	75%	48,449	17,576	5,859
Prime Storage	4.20	78696	69%	65,121	21,630	9,718
Prime Storage	4.54	36852	79%	29,574	10,337	2,748
Your Place for Space	4.65	83065	0%	83,065	-	35,719
Devon Self Storage	4.83	31682	28%	29,464	3,381	8,694

Total Net Rentable SqFt Overlap Into Market:						384,251	
Total Market population 2023	Projected SS SF / person	Total SF	Total Market Size	Cannibalized Market Sf	Projected Open Capacity		
131,523	8.00	714,085	1,052,187	384,251	667,936	46.4%	53.6%
Total Market population 2028	Projected SS SF / person	Total SF	Total Market Size	Cannibalized Market Sf	Projected Open Capacity		
138,874	8.00	714,085	1,110,992	384,251	726,741		

Map



#	Street	Cross St	Dir	Vol.	Dist (mi)
1.	US Hwy 1	SE Morningside Blvd	NW	46,370	0.1
2.	SE Tiffany Ave	Hwy 1	SW	6,707	0.2
3.	SE Lyngate Dr	SE Morningside Blvd	SW	7,394	0.2
4.	Southeast Hillmoor Drive	SE Goldtree Dr	W	5,097	0.3
5.	Southeast Lyngate Drive	SE Burgundy Ln	W	6,205	0.4
6.	Southeast Tiffany Avenue	SE Tiffany Ave	NE	4,262	0.5
7.	Southeast Jennings Road	SE Avon PkDr	E	5,097	0.6
8.	Southeast Lennard Road	SE Avon PkDr	W	16,869	0.7
9.	Southeast Tiffany Avenue	SE Lennard Rd	E	4,025	0.8
10.	Southeast Midport Road	Ardella Ct	E	11,215	0.8
11.	SE Port St Lucie Blvd	SE Morningside Blvd	E	35,600	0.9
12.	US Hwy 1	SE Jennings Rd	NW	47,716	1.0
13.	Southeast Delano Road	SE Port St Lucie	S	36,172	1.0
14.	Southeast Morningside Boulevard	SE Minorca Ave	N	4,508	1.0
15.	Southeast Morningside Boulevard	SE Greendon Ave	S	5,586	1.0
16.	Walton Rd	SE Walton Lakes Dr	E	11,160	1.0



City of Port St. Lucie

MEMORANDUM

TO: Bethany Grubbs, Planner III
Planning and Zoning Department

FROM: Jennifer Davis, Director, Community Redevelopment Agency

DATE: October 17, 2023

RE: Toscana at Port St. Lucie PUD
Comprehensive Plan Amendment (P23-134)
PUD Amendment (P23-143)

The City of Port St. Lucie Community Redevelopment Agency staff has been notified of an application for the Toscana at Port St. Lucie PUD (P19-061) Comprehensive Plan Amendment (P23-134) and PUD Amendment (P23-143). As originally proposed, the overall Toscana development was in line with CRA Master Plan Goals and Objectives by promoting business investment and economic development within the CRA US 1 Corridor, and the residential portion addressed the Plan's suggestion of allowing for a greater diversity of residential types within this area.

However, the recent requested changes to the PUD are not in line with the Plan's Goals and Objectives. With the pending redevelopment of City Center, commercial uses along the US 1 Corridor would be best suited as restaurants / retail to compliment the revitalized corridor and provide additional entertainment options for adjacent residents. The PUD amendment application mentions creating a project that promotes walkability, of which a self-storage facility such as the one proposed does not promote walkability. In fact, self-storage facilities are often associated with additional trucks and/or vehicles that are needed to move items to and from the storage facility. CRA staff believes self-storage / warehouse uses such as the one proposed would be best situated off the main US 1 Corridor. Therefore, the CRA cannot support the applications, as proposed.

Should you have any questions or need any additional information, please do not hesitate to reach out to me.

Toscana SLC, LLC
Comprehensive Plan Amendment (Small-Scale)
Project No. P23-134

Planning and Zoning Board Meeting of
November 7, 2023
Bethany Grubbs, Planner III

CityofPSL.com



Request Summary

Agent: Patti Tobin, HJA Design Studio, LLC

Applicant / Property Owner: Toscana SLC, LLC

Request: This is an application for a Small-Scale Future Land Use Map Amendment from High Density Residential/Commercial General/Open Space-Conservation (RH/CG/OSC) to High Density Residential/Service Commercial (RH/CS).



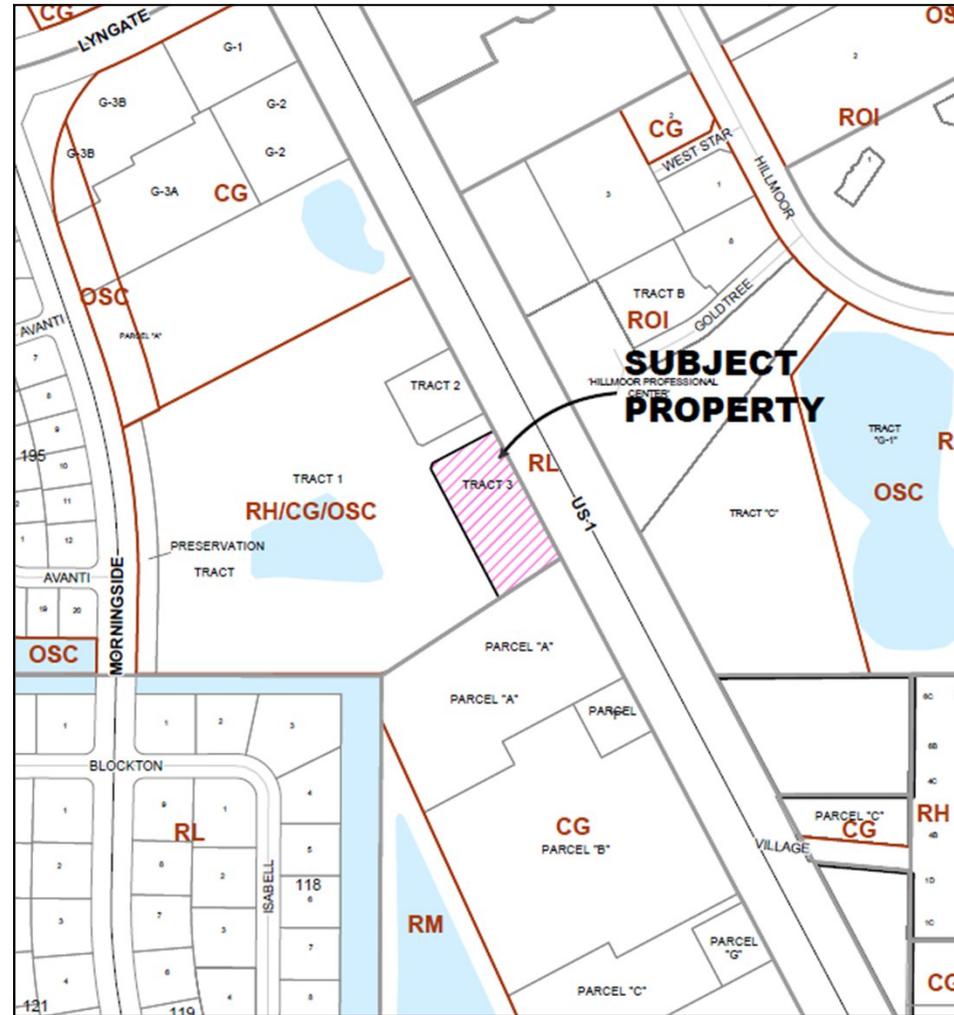
What is the difference between Future Land Use (FLU) and Zoning?

- FLU Map is part of the Comprehensive Plan
 - Provides ultimate future use of the land
 - Defines the intensity of the use (i.e., units per acre)
- Zoning
 - Prescribes specifics to a parcel (setbacks, lot coverage)
 - Prohibited and Allowable uses



Surrounding uses

Direction	Future Land Use	Zoning	Existing Use
North	CG & OSC	CG & OSC	Assisted living facility, retail and office uses
South	CG	CG	Church
East	ROI	P	U. S. #1, medical and business offices
West	OSC & PUD	OSC & RH/CG/OSC	Apartment complex



Adequate Public Facilities Review (Objective 1.1.3)

Policy 1.1.3.1 states, "The development of residential, commercial and industrial land shall be timed and staged in conjunction with provisions of supporting community facilities and services identified as being required such as:

- a. Potable water;
- b. Sanitary sewers;
- c. Solid waste disposal;
- d. Vehicular and pedestrian circulation;
- e. Public safety;
- f. Recreation;
- g. Public schools;
- h. Electricity; and
- i. Drain

- The project has been reviewed for consistency with the adopted level of service standards in the comprehensive Plan and it has been determined that adequate facilities and services exist.



Traffic Impact Analysis

- Change in Future Land Use designation results in NO NET CHANGE of Average Daily and PM Peak hour trips.

Existing Future Land Use	Acreage	Maximum Coverage	Trip Generation Average Rate (ITE Code)	Average Daily Trips	PM Peak Hour
CG	1.55	27,007 (40%)	Strip Retail Plaza (ITE Code 822)	1,369	158
Proposed Future Land Use	Acre	Maximum Coverage	Trip Generation Average Rate (ITE Code)	Average Daily Trips	PM Peak Hour
CS	1.55	27,007 (40%)	Strip Retail Plaza (ITE Code 822)	1,369	158



Consistency with the Comprehensive Plan

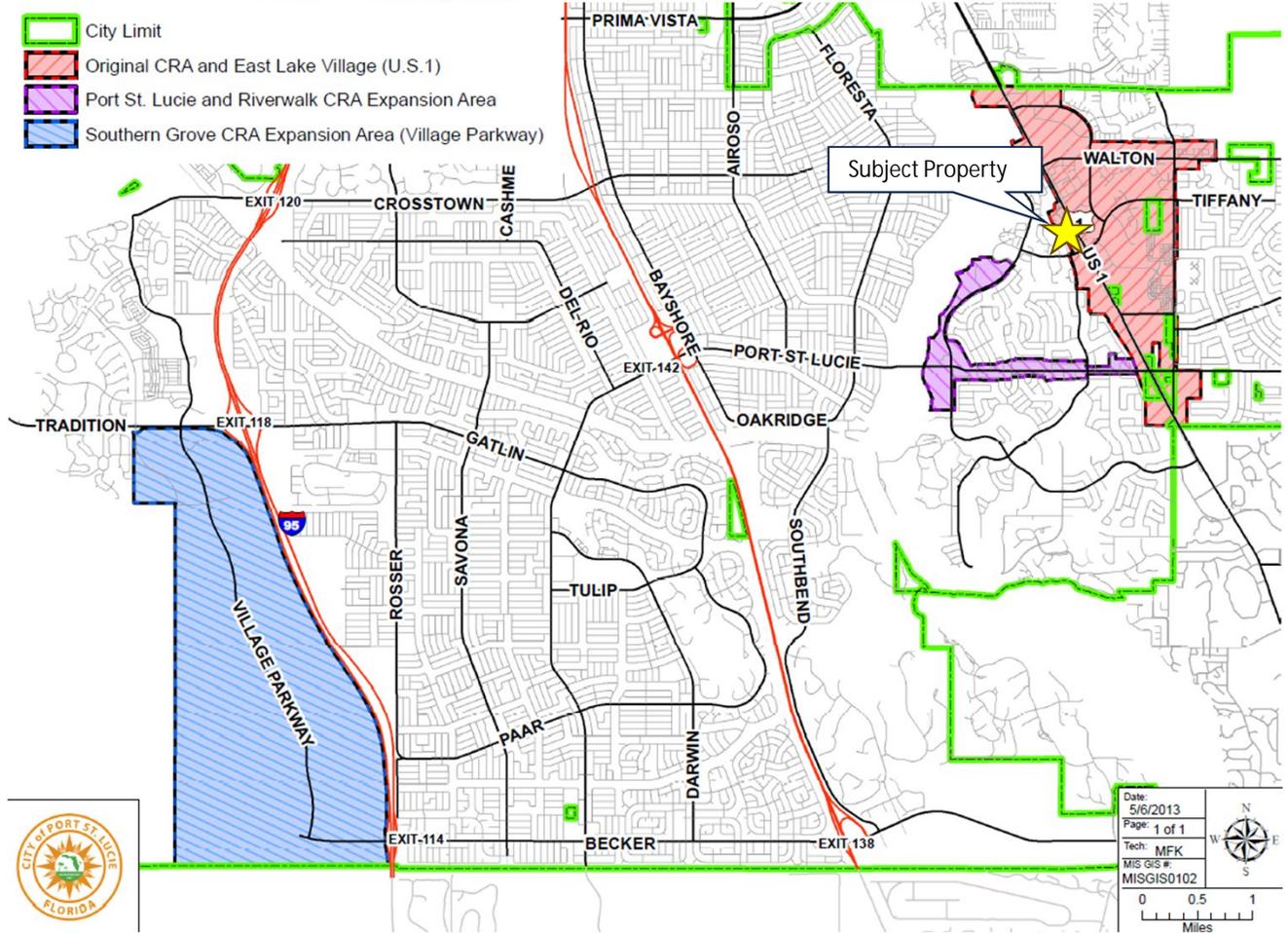
The proposed future land use amendment is not consistent with or supported by the following policies of the Comprehensive Plan.

- Policy 1.1.7.3: Encourage commercial and mixed-use nodes at or near arterial intersections and utilize urban design standards and techniques to beautify and enhance community appearance along major corridors.
- Policy 1.1.10.2: The City may continue implementation of the Community Redevelopment Area (CRA) Master Plan including support for City Center and development of a variety of mixed use, commercial, office, residential and recreational uses in the CRA.
- Policy 1.1.11.1: Transit supportive development and redevelopment may be encouraged along existing and proposed transit routes. Site design guidelines may be developed in the City's update to the land development regulations.



CRA Boundary Map

CRA Boundary Map - U.S.1, Riverwalk, & Southern Grove



CityofPSL.com

CRA master Plan Goals and Objectives

The requested amendment is not consistent with the CRA Plan's Goals and Objectives. With the pending redevelopment of City Center, commercial development along the US 1 Corridor would be best suited as restaurants/retail to compliment the revitalized corridor and provide additional entertainment options for adjacent residents.

Staff Recommendation

The Planning and Zoning Department recommends denial of the proposed comprehensive plan amendment.





Agenda Summary

2023-1021

Agenda Date: 11/7/2023

Agenda Item No.: 8.a

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P23-130 Chick-Fil-A @ SLW - Variance

Location: 1611 NW St. Lucie West Boulevard.

Legal Description: Parcel I: Lot 1, St. Lucie West Plat No. 194, According to The Map or Plat Thereof, As Recorded in Plat Book 73, Pages 19 And 20, of The Public Records of St. Lucie County, Florida.

Parcel II: Together With Those Certain Non-Exclusive Easements Contained in That Certain Access Easement Agreement by And Between Bank of America, National Association and RG SLW, LLC, Recorded in Official Records Book 4136, Page 1291, of The Public Records of St. Lucie County, Florida.

This is a request to grant a variance of a reduction in the required parking spaces to allow for an addition of a second lane to the existing queuing drive-through lane.

Submitted By: Cody Sisk, Planner II, Planning & Zoning Department

Executive Summary: The owner is requesting a variance of 8 parking spaces to allow an improvement to the existing queuing drive through lane. Section 158.221 states that Restaurants free standing and outparcels are required to provide one (1) parking space per each seventy-five (75) square feet of gross floor area.

Presentation Information: Staff will provide a presentation.

Staff Recommendation: Move that the Board review the variance application and vote to approve, approve with conditions, or deny the variance request.

Background: See attached staff report.

Issues/Analysis: See attached staff report.

Special Consideration: N/A

Location of Project: 1611 NW St. Lucie West Boulevard.

Attachments:

1. Staff Report
2. Applicant's Response to Variance Criteria
3. Approved Site Plan
4. Parking and Queuing Analysis
5. Warranty Deed

6. Staff Presentation



**SLW-Chick-Fil-A (HD PSL Realty, LLC)
Variance (Parking Reduction)
P23-130**



Aerial Map

SUMMARY

Applicant's Request:	To grant a variance of a reduction in the parking requirement to allow for an improvement to the exiting queuing drive-through lane.
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Application Type:	Variance, Quasi-Judicial
Applicant / Property Owner:	HD PSL Realty, LLC
Address:	1611 NW Saint Lucie West Blvd
Location:	The property is generally located west of NW Country Club Drive, north of Saint Lucie West Blvd.
Project Planner:	Cody Sisk, Planner II

Project Description

The applicant is requesting a variance of 8 parking spaces to expand the drive-through queuing area. Section **158.073(H)(3)** of the City’s Zoning Code requires a minimum of one parking space per 75 SF of gross floor area.

Background

The existing Chick-Fil-A was granted a previous Variance for a reduction in parking in 2017. The Variance that was approved in 2017 allowed a reduction in parking by 2 spaces. The applicant is now seeking to expand the queuing lane for the drive-through lanes which will cause a loss of 8 additional parking spaces.

Review Criteria

An application for a variance is reviewed for consistency with Article XV of the Zoning Code, Sections 158.295 through 158.299. Final action on the application (approval or denial) is in the form of an Order of the Planning and Zoning Board following a quasi-judicial public hearing. A vote of approval by five (5) members of the Planning and Zoning Board is required to grant a variance.

Public Notice Requirements

Public notice was mailed to owners within 750 feet on October 26, 2023, and the file was included in the ad for the Planning & Zoning Board’s agenda.

Location and Site Information

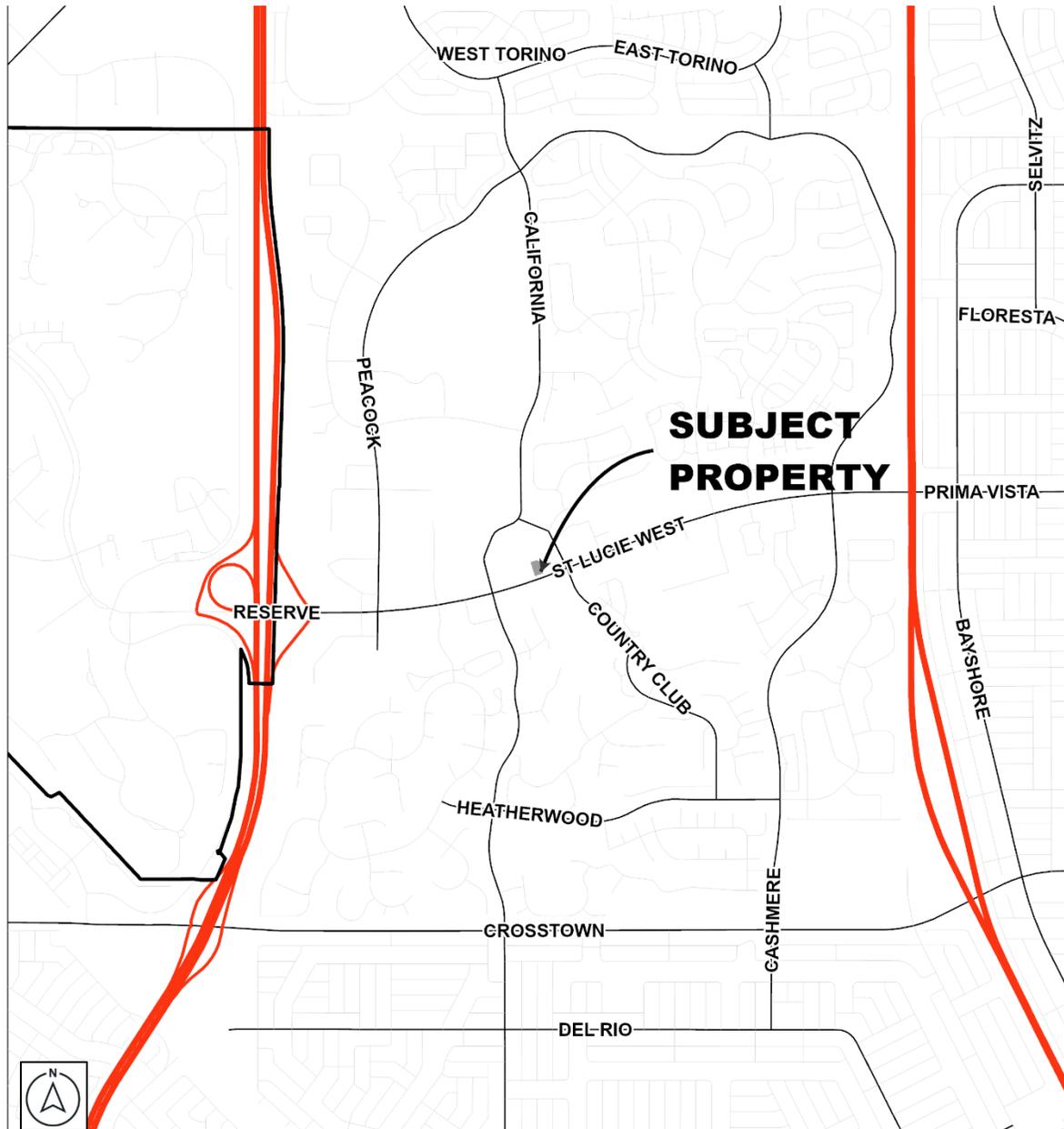
Parcel Number:	3325-704-0001-000-5
Property Size:	1.46-acres
Legal Description:	Parcel I: Lot 1, St. Lucie West Plat No. 194, According To The Map Or Plat Thereof, As Recorded In Plat Book 73, Pages 19 And 20, Of The Public Records Of St. Lucie County, Florida. Parcel II: Together With Those Certain Non-Exclusive Easements Contained In That Certain Access Easement Agreement By And Between Bank Of America, National Association And RG SLW LLC, Recorded May 24, 2018 In Official Records Book 4136, Page 1291, Of The Public Records Of St. Lucie County, Florida.
Future Land Use:	CG/I
Existing Zoning:	CG
Existing Use:	Restaurant

Surrounding Uses

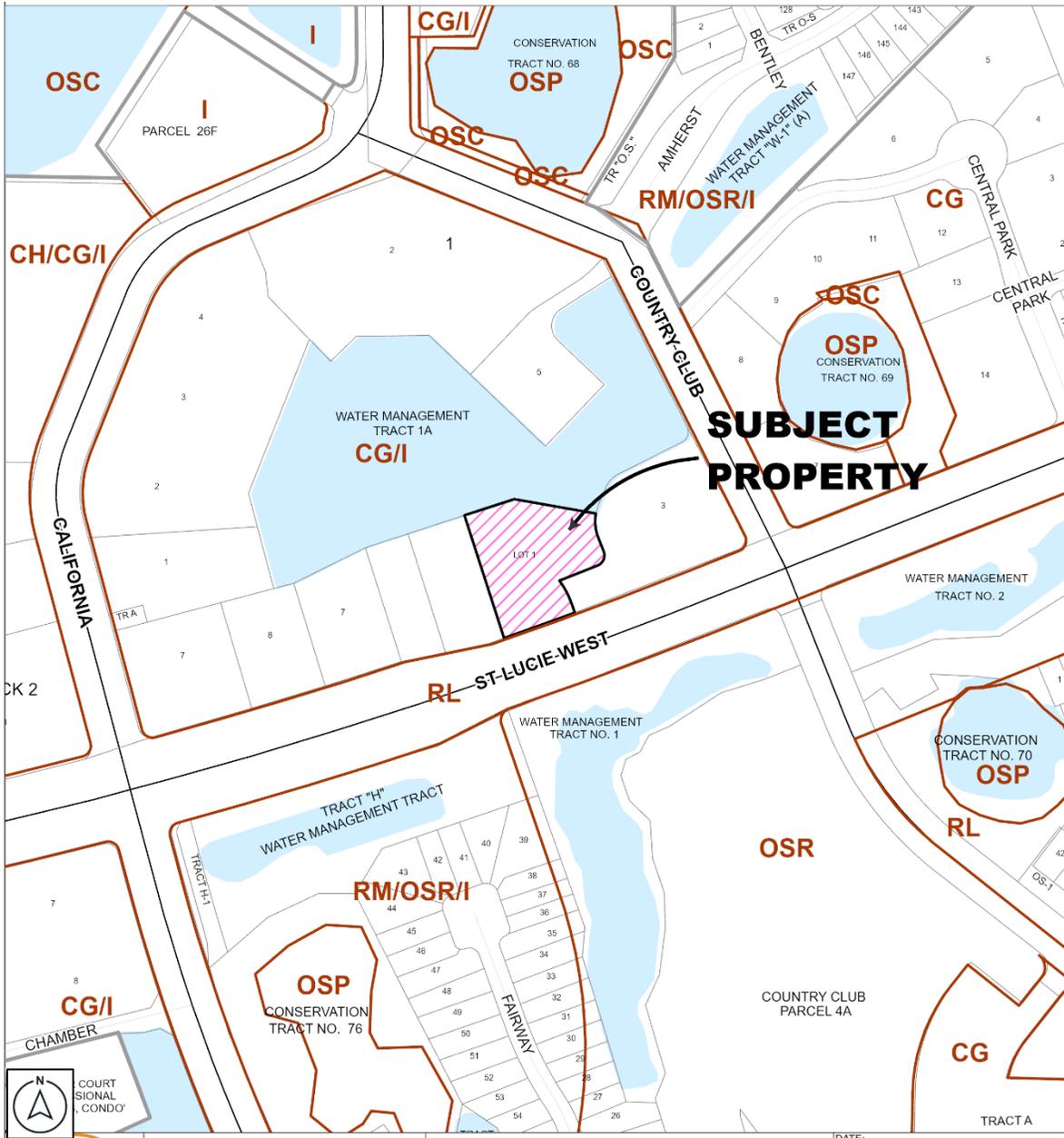
Direction	Future Land Use	Zoning	Existing Use
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North	CG/I	GU	Water Management Tract
South	OSR	OSR	Golf Course
East	CG/I	CG	Commercial Use
West	CG/I	CG	Commercial Use

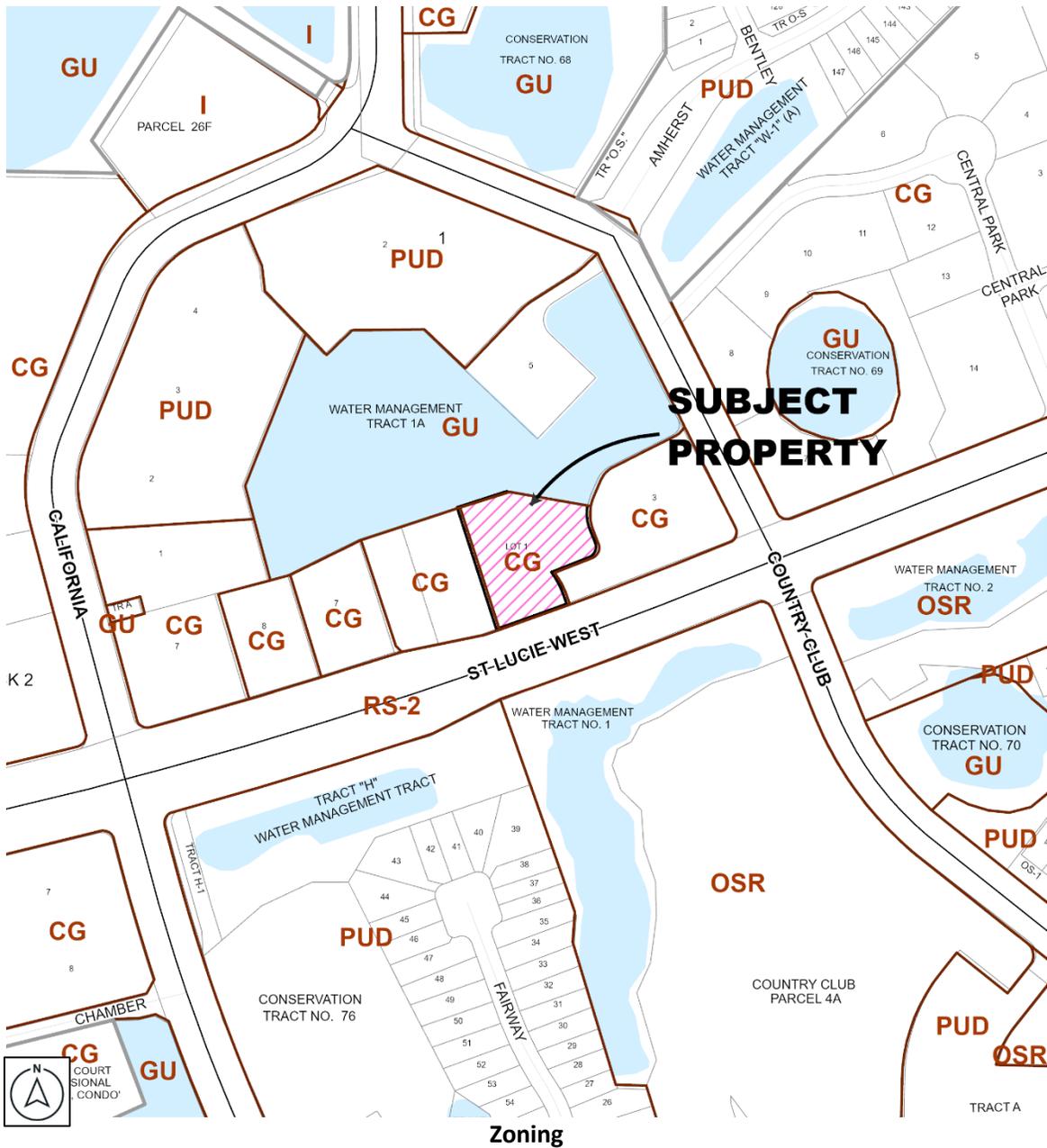
CG – General Commercial, GU – General Use, OSR – Open Space Recreational, I – Institutional, Private & Public



Location Map



Future Land Use



Zoning

IMPACTS AND FINDINGS

Section 158.295 (B) of the Zoning Code establishes the duties of the Planning and Zoning Board in authorizing a variance. The Planning and Zoning Board may authorize the variance from the provisions of the Zoning Code as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. Pursuant to Section 158.296, a variance is authorized only for height, area, and size of the structure, yard size, building setback, lot size requirements, and other applicable development regulations, excluding use. To authorize a variance, the Planning and Zoning Board should consider the criteria listed under Section 158.295 (B) (1) through (7). The applicant's response to this criterion is attached to the application. Staff's review is provided below.

See the applicant's responses that are included in the Variance application.

Compatibility with variance criteria Section 158.295 (B).

1. That special conditions and circumstances 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.
 - **Applicant's Response:** The existing site has a standard single lane drive-thru typical of older Chick-fil-A sites. Due to the popularity of the drive-thru business for existing Chick-fil-A stores and in particular due to changing customer habits since the Covid-19 pandemic, existing stores have seen a significant increase in the number of orders placed through the drive-thru operations as opposed through traditional dine-in options. The majority of the patrons enter the drive-thru queuing areas instead of utilizing the parking spaces to dine-in, as such this can result in an excessive queue triggering congested vehicular-use areas, especially with the older drive thru designs which only allow for queuing along a single lane. The proposed drive-thru improvements aim to address this specific demand by providing additional queuing spaces in the second drive-thru lane, which will provide quicker turn-around time for customer service and reduce impacts on the existing drive-aisles by removing congestion and providing a continuous flow of traffic within the drive-thru. It's important to note that Chick-fil-A operations differ from other fast-food brands by providing face-to-face attendants who are physically within the drive-thru taking orders and directing the traffic through the drive-thru lanes. In order to achieve these improvements, mainly adding the second drive-thru lane, the number of existing parking spaces will be reduced by a net total of 8 spaces.
 - **Staff Findings:** *Special conditions and circumstances do not exist, which are peculiar to the land, structure, or building involved. The lot exceeds the minimum requirement for General Commercial Zoning lot. The existing commercial site is 63,719 sq. ft. while the minimum requirement is 20,000 sq. ft.*
2. That the special conditions and circumstances do not result from any action of the applicant.
 - **Applicant's Response:** The reduction of the total number of parking spaces available on site is triggered by the proposed expansion of the drive-thru area to provide two lanes from the entrance of the queuing area to the delivery window. The intent is to address existing customer demands and trends, which are not conditions created by the Applicant. In fact, the Applicant already implements actions meant to address the existing demands on the drive-thru, such as the use of face-to-face attendants to reduce queuing times, but due to the dimensional constraints of the site, in order to make a substantial change to the drive-thru operations, additional area is required to dimensionally fit the second queuing lane in the drive-thru, which would come at the expense of parking. It is important to note

that the request is being made to address existing customer trends and not a condition created by the Applicant.

- *Staff Findings: See No. 1 above. The applicant is seeking a variance to allow for a parking reduction to accommodate an additional drive through lane.*
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district.
- *Applicant's Response: Since the Chick-fil-A operations are unique to this specific brand of fast-food restaurants, the reduction of parking for the purpose of increasing the drive-thru queuing area will not provide the development any special privileges. The intent is to ensure that the existing site functions in accordance with the intent of the code, by reducing congestion of traffic on the site. The variance would simply allow the applicant to meet the existing demands while alleviating the existing conditions' impact onto adjacent parcels and streets. The requested reduction in parking is justified by allowing the fast-food restaurant to meet the high-demand of fast-food orders within the drive-thru, which is the primary method for ordering for most Chick-fil-A customers as opposed to the more traditional dine-in options which are more reliant on on-site parking.*
 - *Staff Findings: Special privileges would be conferred upon the applicant; a parking requirement of 1 space per 75 sq. ft. of restaurant use is a regulatory standard applied to other lands and commercial structures within the CG zoning district. In addition, this site was previously granted a parking variance of 2 spaces so the site already had the parking requirement reduced. This would be a reduction or loss of 8 more spaces in addition to the 2 spaces that were already eliminated from the required parking.*
4. That 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.
- *Applicant's Response: Chick-fil-A is a clear example that while all fast-food restaurants operate the same way in theory and as understood by code, in actuality, the demands and operations of this specific restaurant differ greatly from other establishments with similar land use. Chick-fil-A operations are intended to address the drive-thru needs of its customers by providing a host of non-traditional avenues, including face-to-face attendants, which are meant to address the particular nature and unique demands for this brand. A literal interpretation of the code would not allow for the reduction in parking. As explained, due to the less popular on-site dining options for customers, the surface parking is not as used as the drive-thru, which puts the undue hardship on the applicant to address any congestion issues on site, due to the dimensional restrictions of the parcel. The intent is to address an existing concern with traffic flow through the site and the only effective way to do this is by expanding the drive-thru to two lanes, which would come at a loss of parking.*
 - *Staff Findings: Literal interpretation of the provisions of the chapter would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district or introduce unnecessary and undue hardships on the applicant. All commercial developments located in the General Commercial (CG) Zoning District are permitted to have additions provided they meet all requirements including parking requirements.*

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 - Applicant's Response: The proposed improvements are designed in a manner to provide as many parking spaces as possible while also creating the necessary second lane for the drive-thru area. We have discussed several design options with city staff in order to provide as many spaces as physically possible with the available on-site area. Please refer to the provided site plans showing the proposed improvements. Short of eliminating additional existing planting area and landscape islands, the site design has been optimized to keep as much of the existing parking as possible while still addressing the queuing concerns on the existing drive-thru.
 - Staff Findings: *The property has previously approved a Variance for parking reduction. The minimum variance that will make this use possible was previously granted in 2017.*

6. That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
 - Applicant's Response: The design does not propose any changes to the existing site access or cross-access connections to adjacent parcels nor does it change the land use, thus keeping in harmony with adjacent developments and the intent of the code. The intent is to avoid a negative impact on the surrounding areas and the general public. In fact, the granting of the variance would prove to be beneficial to the surrounding developments and safety of the local area. The proposed increase in drive-thru queuing capacity will eliminate the existing issues with spilling of traffic off-site while improving the turn-around times for service. A reduction in parking will not pose any harm or concerns with the general welfare of the public. On the contrary, it will make the existing operations safer.
 - Staff Findings: *Variance approval for the parking reduction could be detrimental to the existing site. This site received a previous Variance for parking reduction and this Variance would further reduce the parking count. Under-parking this use could result in overflow parking utilizing adjacent businesses parking capacity. The applicant also provided a parking and queuing analysis for the site. The analysis indicates that the queuing spaces that exist on site can accommodate approximately 21 vehicles in the queuing area. The provided analysis statement also indicates that the maximum number of queuing spaces observed was a total 14 vehicles within the queuing area, while the average number of vehicles was 10 vehicles in the queuing area. The findings from the parking and queuing analysis show that the existing on-site conditions have more than the minimum required queuing spaces needed. Any public comment that is received will be forwarded to the Board for consideration.*

7. That there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.
 - Applicant's Response: Noted. Applicant is willing to work with staff, the Planning and Zoning Board and/or the Zoning Administrator to implement any additional improvements or safeguards to enhance the proposed improvements requested as part of this variance and to mitigate the loss of parking.
 - Staff Findings: *Acknowledged.*

PLANNING AND ZONING BOARD ACTION OPTIONS

Staff Recommendation: Staff does not support this request for an additional parking variance (8 space parking reduction) and recommends that the Planning and Zoning Board deny the request.

The Board may choose to approve, deny or table the proposed variance. If the Board finds that the variance application is consistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code (listed above), then the Board may:

- Motion to approve
- Motion to approve with conditions

If the Board finds that the variance application is inconsistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code, then the Board may:

- Motion to deny

Should the Board need further clarification or information from either the applicant and/or staff, the Board may:

- Motion to table or continue the hearing or review to a future meeting.

(NOTE TO APPLICANTS: Any request for a variance that is denied by the Planning and Zoning Board may be appealed to the Board of Zoning Appeals. Appeal applications are made through the City Clerk's office and must be submitted within 15 days after the Planning and Zoning Board hearing).

Responses to Variance Criteria Non-Administrative Variance – Parking Reduction

Chick-Fil-A #03913 St. Lucie West FSU 1611 St. Lucie W Blvd, Port Saint Lucie, FL 34986

The Applicant, HD PSL Realty, LLC (hereinafter the "Applicant"), is seeking site plan approval to make site improvements to the existing Chick-Fil-A fast-food restaurant located at 1611 St. Lucie W Blvd, Port Saint Lucie, FL 34986. The 1.46-acre site is located within the jurisdiction of Port St. Lucie, zoned as General Commercial (GC). The Applicant is proposing to improve the existing drive-thru area by providing a second continuous drive-thru lane for more queuing capacity, which will trigger a decrease in 8 parking spaces from the existing conditions. The changes proposed are necessary for accommodating the high demand within the drive-in area of the current conditions.

In order to make the site improvements, the Applicant is seeking a waiver from Section 158.221(C)16 of the Port St. Lucie Code of Ordinances for the required total of 67 parking spaces (1 space per 75 SF of gross floor area). The existing conditions have been approved through a parking variance, with a total of 65 spaces provided, two spaces below the required. Because the limited area and the demand for more queuing, the necessary drive thru modification will trigger the removal of 8 spaces, which will have the restaurant at 10 below the required.

Based on the foregoing, the Applicant is requesting a non-administrative variance to deviate from the minimum parking spaces as required by Section 158.221(C)16 of the land development code and respectfully submits that the criteria in Section 158.295(B) for consideration for issuance of variances are satisfied as demonstrated below:

- 1. Please explain 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.**

The existing site has a standard single lane drive-thru typical of older Chick-fil-A sites. Due to the popularity of the drive-thru business for existing Chick-fil-A stores and in particular due to changing customer habits since the Covid-19 pandemic, existing stores have seen a significant increase in the amount of orders placed through the drive-thru operations as opposed through traditional dine-in options. The majority of the patrons enter the drive-thru queuing areas instead of utilizing the parking spaces to dine-in, as such this can result in an excessive queue triggering congested vehicular-use areas, especially with the older drive-thru designs which only allow for queuing along a single lane. The proposed drive-thru improvements aim

to address this specific demand by providing additional queuing spaces in the second drive-thru lane, which will provide quicker turn-around time for customer service and reduce impacts on the existing drive-aisles by removing congestion and providing a continuous flow of traffic within the drive-thru. It's important to note that Chick-fil-A operations differ from other fast-food brands by providing face-to-face attendants who are physically within the drive-thru taking orders and directing the traffic through the drive-thru lanes. In order to achieve these improvements, mainly adding the second drive-thru lane, the number of existing parking spaces will be reduced by a net total of 8 spaces.

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

The reduction of the total number of parking spaces available on site is triggered by the proposed expansion of the drive-thru area to provide two lanes from the entrance of the queuing area to the delivery window. The intent is to address existing customer demands and trends, which are not conditions created by the Applicant. In fact, the Applicant already implements actions meant to address the existing demands on the drive-thru, such as the use of face-to-face attendants to reduce queuing times, but due to the dimensional constraints of the site, in order to make a substantial change to the drive-thru operations, additional area is required to dimensionally fit the second queuing lane in the drive-thru, which would come at the expense of parking. It is important to note that the request is being made to address existing customer trends and not a condition created by the Applicant.

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

Since the Chick-fil-A operations are unique to this specific brand of fast-food restaurants, the reduction of parking for the purpose of increasing the drive-thru queuing area will not provide the development any special privileges. The intent is to ensure that the existing site functions in accordance with the intent of the code, by reducing congestion of traffic on the site. The variance would simply allow the applicant to meet the existing demands while alleviating the existing conditions' impact onto adjacent parcels and streets. The requested reduction in parking is justified by allowing the fast-food restaurant to meet the high-demand of fast-food orders within the drive-thru, which is the primary method for ordering for most Chick-fil-A customers as opposed to the more traditional dine-in options which are more reliant on on-site parking.

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.

Chick-fil-A is a clear example that while all fast-food restaurants operate the same way in theory and as understood by code, in actuality, the demands and operations of this specific restaurant differ greatly from other establishments with similar land use. Chick-fil-A operations are intended to address the drive-thru needs of its customers by providing a host of non-traditional avenues, including face-to-face attendants, which are meant to address the particular nature and unique demands for this brand. A literal interpretation

of the code would not allow for the reduction in parking. As explained, due to the less popular on-site dining options for customers, the surface parking is not as used as the drive-thru, which puts the undue hardship on the applicant to address any congestion issues on site, due to the dimensional restrictions of the parcel. The intent is to address an existing concern with traffic flow through the site and the only effective way to do this is by expanding the drive-thru to two lanes, which would come at a loss of parking.

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

The proposed improvements are designed in a manner to provide as many parking spaces as possible while also creating the necessary second lane for the drive-thru area. We have discussed several design options with city staff in order to provide as many spaces as physically possible with the available on-site area. Please refer to the provided site plans showing the proposed improvements. Short of eliminating additional existing planting area and landscape islands, the site design has been optimized to keep as much of the existing parking as possible while still addressing the queuing concerns on the existing drive-thru.

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.

The design does not propose any changes to the existing site access or cross-access connections to adjacent parcels nor does it change the land use, thus keeping in harmony with adjacent developments and the intent of the code. The intent is to avoid a negative impact on the surrounding areas and the general public. In fact, the granting of the variance would prove to be beneficial to the surrounding developments and safety of the local area. The proposed increase in drive-thru queuing capacity will eliminate the existing issues with spilling of traffic off-site while improving the turn-around times for service. A reduction in parking will not pose any harm or concerns with the general welfare of the public. On the contrary, it will make the existing operations safer.

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

Noted. Applicant is willing to work with staff, the Planning and Zoning Board and/or the Zoning Administrator to implement any additional improvements or safeguards to enhance the proposed improvements requested as part of this variance and to mitigate the loss of parking.



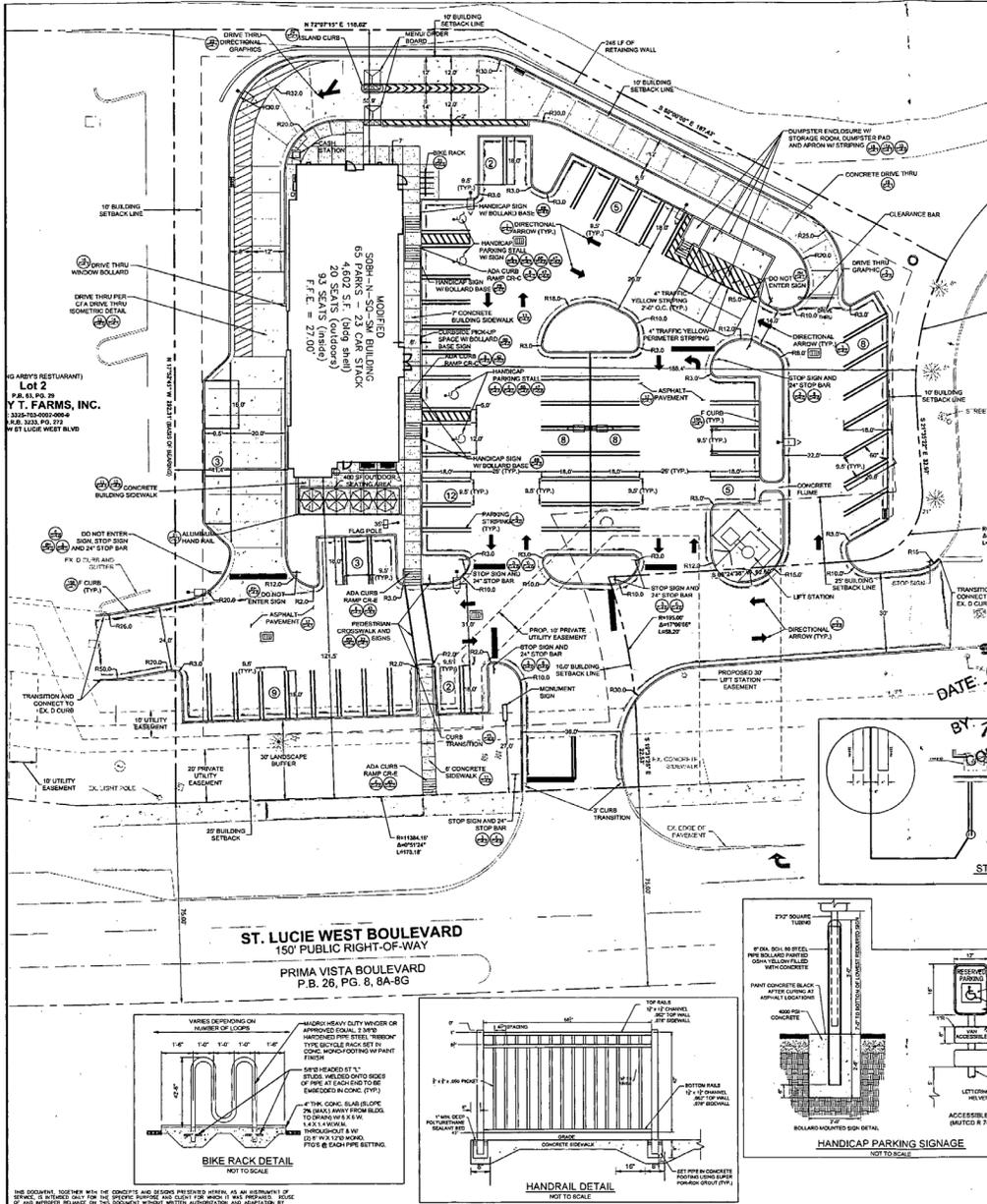
Signature of Applicant

KRISTHIAN MORALES

Hand Print Name

8/1/2023

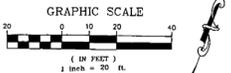
Date



LEGAL DESCRIPTION

LOT 1 ST. LUCIE WEST PLAT NO. 104 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 79 PAGE 16 PUBLIC RECORDS OF ST. LUCIE COUNTY

LOCATION MAP



LEGEND

PROPERTY LINE	EX. CONCRETE
PROP. ASPHALT DRIVE	EX. BRICK/STONE STRUCTURE
PROP. CONC. SIDEWALK	EX. SEWER MANHOLE
PROP. CONC. DRIVE	EX. ELEC. HAND HOLE
PROP. DUMPSTER PAD	EX. ELEC. BOX
EX. STRAIGHTENER LINE	EX. LIGHT POLE
PROP. TYPE 'C' CURB	EX. SIGN
PROP. LIGHT POLE	EX. TREES

SITE CALCULATIONS

AREA	SF	ACRES	%
TOTAL SITE AREA	43,732 SF	1.00 (A.C.)	100%
OPEN SPACE AREA	18,472 SF	0.42 (A.C.)	42%
TOTAL IMPERVIOUS AREA	25,260 SF	0.58 (A.C.)	58%
BUILDING FOOTPRINT	4,802 SF	0.11 (A.C.)	11%
PAVEMENT & SIDEWALK	42,845 SF	0.97 (A.C.)	97%

PARKING CALCULATIONS

USE	AREA	RATIO	REQUIRED SPACES
BUILDING AREA	4,802 SF	1/175 SF PER	87
OUTDOOR AREA	489 SF	1/175 SF PER	3
TOTAL PARKING REQUIRED			90
TOTAL PARKING PROVIDED			95

BUILDING SETBACKS

SETBACKS	REQUIRED	PROVIDED
FRONT (EAST)	25'	188.4'
LEFT SIDE (SOUTH)	10'	171.5'
RIGHT SIDE (NORTH)	10'	36.2'
REAR (WEST)	10'	41.4'

SITE SUMMARY

ZONING	CO - GENERAL COMMERCIAL
F.U.I.	CO - GENERAL COMMERCIAL
USE	RESTAURANT W/DRIVE THRU
TYPE OF CONSTRUCTION	COMMERCIAL

TRAFFIC STATEMENT

TRAILAND USE	EAST TOWARD DRIVE THRU (S/W)
INDEPENDENT VARIABLE	KDF = 4.8
DAILY TRIP GENERATION	498.12 DAILY TRIP/PARK = 2,280 DAILY TRIPS
TRIP GENERATION A.M. PEAK	45.42 AM PEAK TRIP/PARK = 208 AM PEAK TRIPS
TRIP GENERATION P.M. PEAK	50.91 PM PEAK TRIP/PARK = 245 PM PEAK TRIPS
HOURS OF OPERATION	8:30 AM - 10:00 PM
STANDING SPACES	73
STANDING SPACES DIMENSIONS	18' x 10'
OVERALL STANDING LENGTH	420'

PRIOR APPROVALS

SPECIAL EXCEPTION	17-0-21
PARKING VARIANCE	P17-005

DRAINAGE STATEMENT

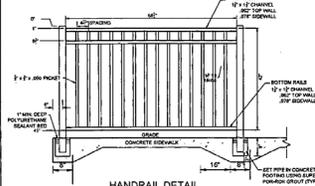
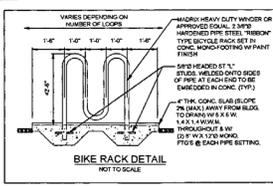
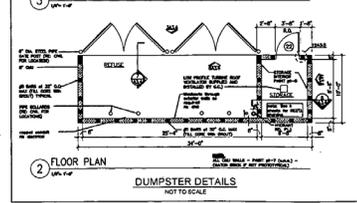
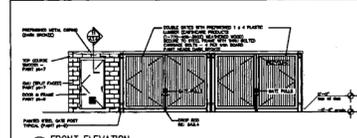
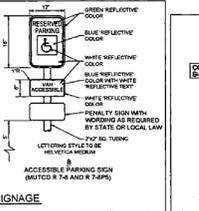
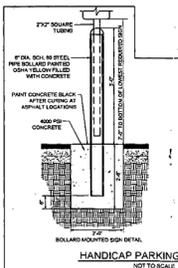
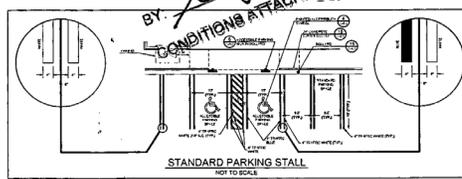
PROJECT INFORMATION
 THE SUBJECT PROPERTY IS PART OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) SURFACE WATER MANAGEMENT CONSTRUCTION/OPERATION MODIFICATION PERMIT NO. 98-0057-0. THE GROUND IMPROVEMENTS CONSISTS OF CONSTRUCTING A 492 SQUARE FOOT BUILDING LOCATED BETWEEN THE BANK OF AMERICA ON ST. LUCIE WEST BOULEVARD.

EXISTING CONDITIONS
 THE 1.03 ACRE SITE IS LARGELY UNDEVELOPED, WITH A SMALL PORTION OF THE SITE CONTAINING A SHARED ACCESS DRIVE FOR THE BANK OF AMERICA TO THE EAST AND A LIFT STATION. THIS SITE IS PART OF A 102.8 ACRE MASTER DEVELOPMENT.

PERMIT SPECIAL CONDITIONS
 THERE ARE TWO (2) SPECIAL CONDITIONS SET FORTH IN THE SPWMD PERMIT NO. 98-0057-0 THAT PERTAIN TO THE SITE. THE FIRST SPECIAL CONDITION STATES THAT THE MINIMUM FINISHED FLOOR ELEVATION SHALL BE AT 16.5 FEET MSL. THE PROPOSED BUILDING HAS A FINISHED FLOOR ELEVATION OF 21 FEET MSL, WHICH EXCEEDS THE MINIMUM FINISHED FLOOR REQUIREMENT. THE SECOND SPECIAL CONDITION STATES THAT THE MINIMUM ROAD ELEVATION SHALL BE AT 13.5 MSL. THE LOWEST ON SITE PAVEMENT ELEVATION IS 23 FEET MSL, WHICH EXCEEDS THE MINIMUM ROAD ELEVATION REQUIREMENT.

CONCLUSION
 THE PROPOSED IMPROVEMENTS WILL MEET OR EXCEED ALL PERMIT CONDITIONS SET FORTH IN THE SPWMD PERMIT NO. 98-0057-0.

SITE PLAN APPROVED
DATE October 23, 2017
BY City Council
CONDITIONS ATTACHED: YES □ NO □



5200 Burlington Rd
 Atlanta, Georgia
 30349-2998

Revisions:
 Mark Date By

Mark Date By

Mark Date By



Bowman CONSULTING
 10711 W. UNIVERSITY BLVD., SUITE 200
 BOCA RATON, FL 33433
 (561) 991-1111
 www.bowmanconsulting.com

STORE
 PORT ST. LUCIE
 PORT ST. LUCIE, FL
 34913

WHO OF W. ST. LUCIE WEST BLVD
 AND THE COUNTY CURB LINE
 PORT ST. LUCIE, FL 34986

SHEET TITLE
 SITE PLAN

VERSION: V7
 ISSUE DATE: 09-2016

Job No.: 00914-01-048
 Store #: 3813
 Date: 10/13/2017
 Drawn By: JLB
 Checked By: JLT

Sheet
 C-2.0

CITY OF PORT ST. LUCIE PROJECT NO. P17-005

September 25, 2023

Kristhian Morales
Bowman
910 SE 17th Street, Suite 300
Fort Lauderdale, FL 33316

**RE: Chick-fil-A St Lucie West Boulevard Parking and Queueing Analysis
Project No. 010014-01-201**

Dear Mr. Morales:

Bowman has completed a queueing and parking analysis associated with the proposed redevelopment of a site located at 1611 NW St Lucie West Boulevard, in the City of Port St. Lucie, Florida. The site includes an existing 4,602-square foot Chick-fil-A building with 400 square feet of outdoor area, and a drive through facility. Modifications are proposed to the site to provide additional vehicular queue stacking within the CFA drive-through area. This modification will impact parking within the CFA site. This study includes a drive-through queueing analysis and a parking evaluation. The site plan is attached in **Appendix A**. An aerial photograph of the site is shown on **Figure 1**.

Figure 1 Site Location



Drive-Through Queuing Analysis

A drive-through queuing analysis was performed for the site to evaluate if the proposed stacking distance within the drive-through area would be sufficient to contain the drive-through demand.

Current Drive-Through Available Stacking

The existing site includes a drive-through with one lane prior to the order board, two (2) lanes in the vicinity of the order board, and one (1) lane beyond the order board. The total existing vehicular queue stacking area is approximately 470 feet from the pick-up window to the end of the drive-through queuing area. This area can accommodate approximately 21 vehicles, assuming 22 feet per vehicle. Additional stacking area is also available beyond the pick-up window.

Proposed Drive-Through Available Stacking

The proposed conditions will include two (2) lanes for the entire drive-through area. The total proposed vehicular queue stacking area is approximately 660 feet from the pick-up window to the end of the drive-through queuing area. This area can accommodate approximately 30 vehicles, assuming 22 feet per vehicle. Additional stacking area is also available beyond the pick-up window.

Vehicular Queue Data Collection

Vehicular queue data was collected at the site. Based on coordination with CFA, the peak period generally occurs on Fridays between 12:00 and 3:00 PM; therefore, vehicular queue data was collected on Friday, September 22, 2023 from 12:00 to 3:00 PM. The maximum number of vehicles in the queue was recorded in five-minute increments. The queue data is included in **Appendix B**. Based on the collected data, the maximum queue for the site was 14 vehicles, with an average queue of 10 vehicles; therefore, the proposed drive-through stacking area will be sufficient to accommodate the anticipated drive-through demand, as summarized in **Table 1**.

Table 1 Drive-Through Queue Summary

Proposed Drive-Through Stacking	Max Queue	Queues Contained in Drive-Through?
30 vehicles	14 vehicles	Yes

[This space intentionally left blank]

Bowman

Parking Analysis

A parking accumulation analysis was performed at the site to determine the actual parking demand for CFA.

Parking Requirement and Proposed Parking Supply

Based on the City of Port St. Lucie Code of Ordinances, Section 158.221(C)16, free-standing restaurants with drive through facilities have a required parking of 1 space per 75 square feet of gross floor area. The existing CFA site has an intensity of 4,602 square feet of building plus 400 square feet of outdoor area, requiring 67 parking spaces. With the modifications to the drive-through facility, the proposed parking supply will be reduced to 57 parking spaces; therefore, the proposed parking supply will not meet the City of Port St. Lucie parking requirements.

Parking Accumulation Analysis

Parking accumulation data was collected on Friday, September 22, 2023 from 12:00 to 3:00 PM and was recorded in 15-minute intervals. The parking data is included in **Appendix C**. Based on the collected data, the highest accumulation of parked vehicles for the site was 45 vehicles; therefore, the proposed parking supply will be sufficient to accommodate the parking demand, as summarized in **Table 2**.

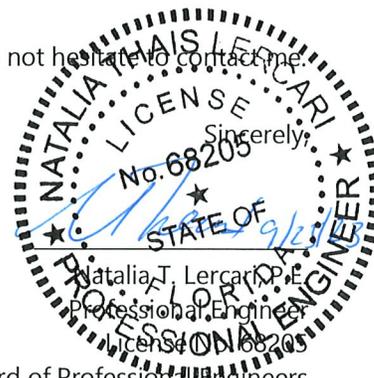
Table 2 Parking Summary

Parking Requirement per Code	Proposed Parking Provided	Meets Code?	Max CFA Vehicles Parked Onsite	Sufficient Onsite Parking?
67 spaces	57 spaces	No	45	Yes

Conclusion

Based on the analysis contained herein, sufficient queue stacking area will be provided on the CFA site for the drive-through facility without impacting site circulation. In addition, sufficient parking supply will be provided to accommodate the expected parking demand.

Should you have any questions or comments regarding this analysis, please do not hesitate to contact me.



State of Florida, Board of Professional Engineers

Appendix A

Site Plan

Appendix B

Queue Data

Drive-Through Queues

Location: Chick-fil-A, 1611 NW St. Lucie Boulevard West

City: Port St. Lucie, FL

Date: 9/22/2023 (Fri)

Time	Maximum Drive-Through Queue (# of Vehicles)		
	From Pickup Window to Order Board	From Order Board to End of Queue	Total Queue
12:00 PM	5	6	11
12:05 PM	5	5	10
12:10 PM	5	8	13
12:15 PM	3	10	13
12:20 PM	4	10	14
12:25 PM	4	6	10
12:30 PM	3	5	8
12:35 PM	2	7	9
12:40 PM	4	8	12
12:45 PM	3	10	13
12:50 PM	4	9	13
12:55 PM	3	7	10
1:00 PM	6	8	14
1:05 PM	4	9	13
1:10 PM	2	10	12
1:15 PM	3	8	11
1:20 PM	5	4	9
1:25 PM	3	3	6
1:30 PM	3	6	9
1:35 PM	3	7	10
1:40 PM	3	3	6
1:45 PM	4	7	11
1:50 PM	4	7	11
1:55 PM	2	6	8
2:00 PM	4	7	11
2:05 PM	3	4	7
2:10 PM	3	4	7
2:15 PM	3	4	7
2:20 PM	3	7	10
2:25 PM	3	4	7
2:30 PM	2	8	10
2:35 PM	4	7	11
2:40 PM	5	7	12
2:45 PM	5	4	9
2:50 PM	5	2	7
2:55 PM	3	4	7
Totals	130	231	361

Appendix C

Parking Data

Parking Study

Location: CFA -1611 NW St Lucie West Blvd
 City: Port St. Lucie, FL

Date: 9/22/2023
 Day: Friday

TIME	Maximum Parking Demand					
	Regular	Handicap	Curbside	Catering and Carry Out	Drive Through Pickup	All spaces
12:00 PM	38	1	4	1	1	45
12:15 PM	37	1	4	1	0	43
12:30 PM	33	1	2	0	1	37
12:45 PM	35	1	3	0	0	39
1:00 PM	38	1	2	1	0	42
1:15 PM	36	2	2	0	2	42
1:30 PM	35	1	1	0	1	38
1:45 PM	37	2	2	1	0	42
2:00 PM	38	1	3	0	0	42
2:15 PM	39	2	3	0	1	45
2:30 PM	38	2	2	1	0	43
2:45 PM	40	3	1	0	1	45

Prepared by:

Adam J Reiss, Esq.
Ross Realty Investments, Inc.
3325 S University Drive Suite 210
Davie FL 33328

Saint Lucie County Property Tax ID# 3325-704-0001-000-5

SPECIAL WARRANTY DEED

THIS INDENTURE, (the terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates), made this 24 day of September, 2018, between RG SLW LLC, a Florida limited liability company with a mailing address of 3325 S University Drive Suite 210 Davie FL 33328 (the "Grantor"), and HD PSL Realty, LLC, a Florida limited liability company, with a mailing address of 265 S. Federal Highway, Suite 164, Deerfield Beach, Fl. 33441 (the "Grantee").

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten and No/100 Dollars, and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt of which is hereby acknowledged, has granted, bargained, and sold to the Grantee, and Grantee's heirs, successors, and assigns forever, the following described land in Broward County, Florida, to wit:

Lot 1, St. Lucie West Plat No. 194, as recorded in Plat Book 73, Page 19, Public Records of St. Lucie County, Florida, being a replat of Open Space Tracts 1A, 1B, and 2A as shown on ST. LUCIE WEST PLAT NO. 168, COMMERCIAL SITES PHASE 9, recorded in Plat Book 42, Pages 28 and 28A, of the Public Records of St. Lucie County, Florida, lying in Section 25, Township 36 South, Range 39 East, City of Port St. Lucie, St. Lucie County, Florida

This conveyance is subject to the following:

1. Conditions, restrictions, limitations and easements of record, if any, but this provision shall not operate to re-impose the same.
2. Zoning and other governmental regulations.
3. Taxes and assessments for 2018 and subsequent years not yet due or payable.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND THE GRANTOR hereby covenants with said Grantee that Grantor is lawfully seized of the Property in fee simple; that the Grantor has good right and lawful authority to sell and convey said Property; that the Grantor hereby specially warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed on this 21 day of September, 2018.

2 Witnesses:

RG SLW LLC
a Florida limited liability company

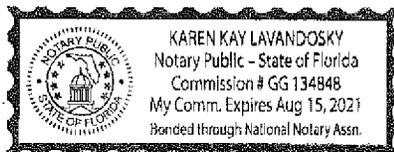
HAL COLTEN
Print Name & Sign

JAM KAE
Print Name & Sign

By: [Signature]
Adam J Reiss, Manager

STATE OF FLORIDA)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 21 day of September, 2018 by Adam J Reiss, as Manager of the Grantor, who is personally known to me and did not take an oath and who executed same for the purposes set forth herein. Given under my hand and official seal this 21 day of September, 2018.



Karen Kay Lavandosky
Notary Public

Chick-Fil-A @ SLW

HD PSL Realty, LLC

Variance

Project No. P23-130

Planning and Zoning Board Meeting

Cody Sisk, Planner II

November 7, 2023

INCORPORATED

CityofPSL.com



Request Summary

- Owner/Applicant: HD PSL Realty, LLC
- Location: 1611 NW Saint Lucie West Blvd
- Request: A Variance to the Chick-Fil-A Restaurant use for a reduction in parking for purposes to allow for a larger drive through lane.



Staff Findings & Recommendation

- The Applicant has applied for the Variance because the proposed additional drive through lane will need to remove required parking for the existing Commercial Use.
- This site has a previous approval for a Variance for a reduction of 2 parking spaces, so this use is already under parked. The variance, if granted, would result in a greater parking deficit which could impact adjacent businesses.
- Section 158.221 states that Restaurants free standing and outparcels: One (1) space per seventy-five (75) square feet of gross floor area.
- The Variance proposed is not the minimum Variance necessary for the owner to be able to use the existing commercial use. The existing commercial use is in operation now. The applicant wishes to modify the configuration of the drive through.
- The findings from the parking and queuing analysis show that the existing on-site conditions have more than the minimum required queuing spaces needed.

Staff Recommendation: Staff does not support this request for an additional parking variance (8 space parking reduction) and recommends that the Planning and Zoning Board deny the request.





Planning and Zoning Board Action Options:

- Make a motion to approve
- Make a motion to approve with conditions
- Make a motion to deny
- Make a motion to table



MEMORANDUM

TO: Planning and Zoning Board Members

FROM: Cody Sisk, Planner II

DATE: November 6, 2023

RE: Variance – SLW-Chick-Fil-A (HD PSL Realty, LLC)
Request to Table Application (P23-130)

- The applicant is requesting to **table this application to the December 5, 2023, Planning and Zoning Board meeting.**
- The Planning and Zoning Department advertised this application for the November 7, 2023, Planning & Zoning Board hearing.
- This application will be heard at the December 5, 2023, board hearing.



Agenda Summary

2023-1040

Agenda Date: 11/7/2023

Agenda Item No.: 8.b

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

**P23-133 Saint Lucy Properties, LLC. - The Malachi Academy - Special Exception Use
(Application Withdrawn)**

Location: On the south side of NW University Boulevard, west of the roundabout on NW California Boulevard and east of Piazza Drive.

Legal Description: University Park, St. Lucie West Plat No. 143, second replat in Parcel 21D, Lot 7

This is a request for a special exception use to allow a private school.

Submitted By: Bianca Lee, Planning & Zoning Department, Planner II

Executive Summary: This application has been withdrawn by a representative of The Malachi Academy, Hannah Vergara.

Location of Project: 548 NW University Blvd., Ste. 102

Attachments: 1. Staff memo, 2. SEU withdrawal letter



MEMORANDUM

TO: Planning and Zoning Board Members

FROM: Bianca Lee, Planner II

DATE: October 27, 2023

RE: Special Exception Use – Saint Lucy Properties, LLC.
Withdrawal of Application (P23-133)

- The applicant withdrew this application on October 26, 2023 (see attached letter).
- The Planning and Zoning Department advertised this application for the November 7, 2023, board hearing. Notices were sent to all property owners within 750 ft. of the property located at 548 NW University Blvd., Ste. 102.



Hannah Vergara
4464 Whispering Pines Lane, Fort Pierce, FL 34982
(772) 4187758
malachiacademy@gmail.com

October 26, 2023

Dear City of Port Saint Lucie:

The Malachi Academy Inc. would like to request a withdrawal of our Special Exception Use Application for

548 NW University Blvd., Ste. 102. The legal description is University Park, St. Lucie West Plat No. 143, second replat in Parcel 21D, Lot 7. The parcel ID is 3325-600-0010-090-9.
Saint Lucy Properties, LLC. –
Private School (P23-133) The Malachi Academy.

We are no longer opening as a private school and will not require Special Exception Zoning. Instead, we are interested in creating a tutoring facility for students with unique abilities in the City of Port Saint Lucie.

Thank you for your consideration.

Sincerely,

Hannah Vergara



Agenda Summary

2023-898

Agenda Date: 11/7/2023

Agenda Item No.: 8.c

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P23-149 Omega Baptist Church of Pentecost Inc. - Rezoning

Location: East of Port St. Lucie Boulevard., between SW Aster Rd. & SW Greco Ln.

Legal Description: Port St. Lucie, Sec. 5, Blk. 1662, Lots 9, 10, 11, 15, & 16

This is a request to rezone the property from Institutional to Professional Zoning.

Submitted By: Bianca Lee, Planner II, Department of Planning & Zoning

Executive Summary: The City of Port St. Lucie received a request from Roberto Urbina of URB Design Group, LLC., agent for the property owner, Omega Baptist Church of Pentecost Inc., to rezone a 1.16-acre parcel from Institutional (I) zoning district to Professional (P) zoning district to be consistent with the City's Comprehensive Plan. The subject property is in Conversion Area 4 as identified in the adopted City of Port St. Lucie Conversion Area Manual. The properties that are within Conversion Area 4 have a future land use designation of ROI. In 2021, the City Council approved an amendment to the comprehensive plan that revised Policy 1.1.4.13 to remove the Institutional Zoning District as a compatible zoning designation within the ROI land use classification (P21-047). As a result, the subject property's land use and zoning are not compatible. The applicant is applying to rezone the property to the Professional Zoning designation.

Presentation Information: A brief presentation will be provided.

Staff Recommendation: Move that the Board recommend approval of the rezoning request.

Alternate Recommendations:

1. Move that the Board recommend denial of the rezoning request.

Background: See attached staff report.

Issues/Analysis: See attached staff report.

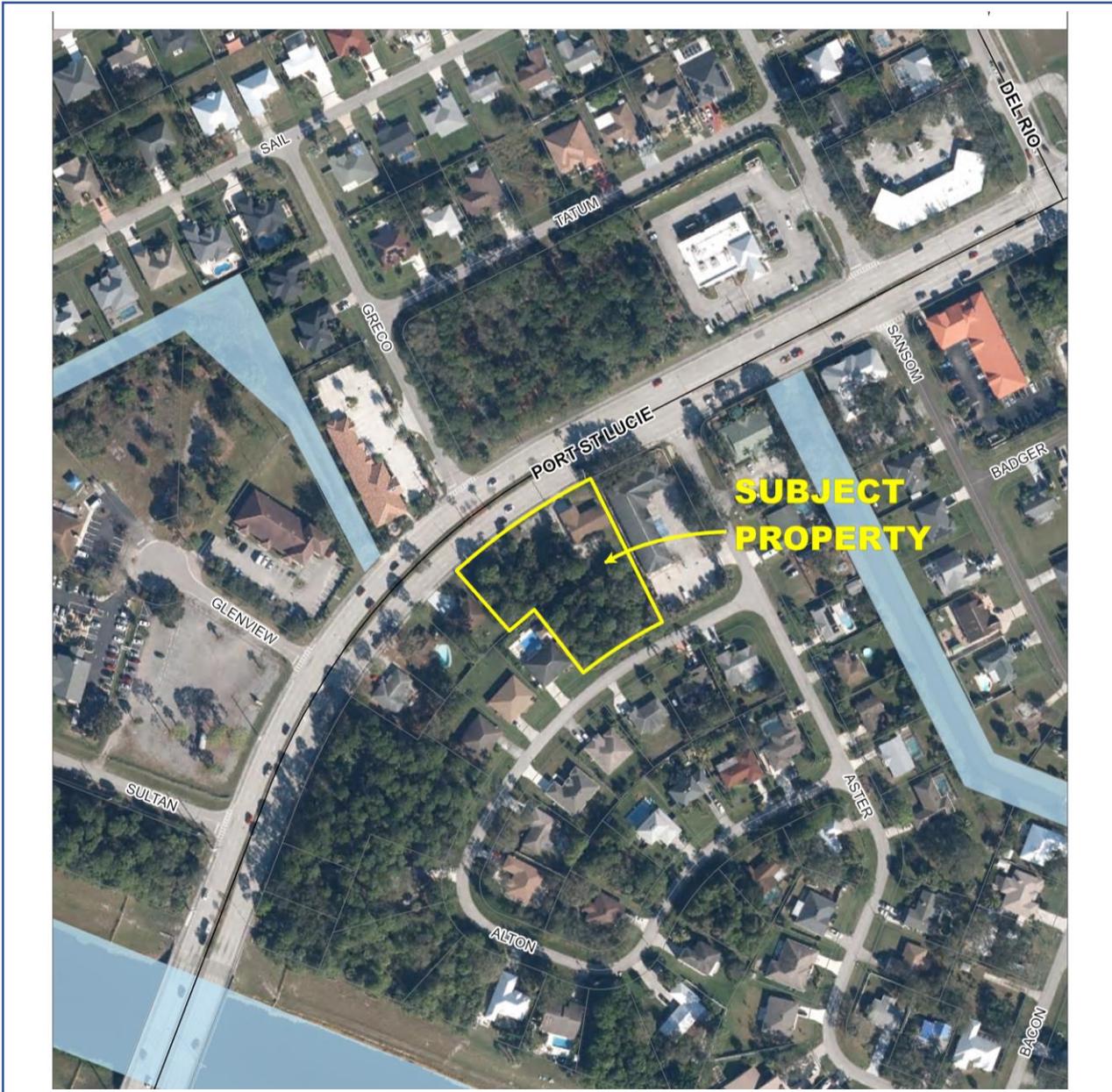
Special Consideration: There is an associated application for site plan approval for a 6,950 square foot church consisting of an existing 2,950 sq ft building (existing house) and a proposed two story 4,000 sq ft attached building with a total of 52 parking spaces. Prior to site plan approval, the applicant may need to apply for a Special Exception Use (SEU) depending on the size of the enclosed assembly area. The proposed site plan is attached as Attachment "A" and a rendering of the proposed project is attached as Attachment "B".

Location of Project: 726 SW Port St. Lucie Blvd.

Attachments: 1. Staff report, 2. Attachment A, 3. Attachment B, 4. Rezoning request, 5. Staff presentation



**Omega Baptist Church of Pentecost Inc.
Rezoning
P23-149**



Project Location Map

SUMMARY

Applicant's Request:	Rezoning from Institutional (I) to Professional (P)
Applicant:	Roberto Urbina of URB Design Group, LLC.
Property Owner:	Omega Baptist Church of Pentecost Inc.
Location:	East of Port St. Lucie Boulevard., between SW Aster Rd. & SW Greco Ln.
Address:	726 SW Port St. Lucie Blvd.
Project Planner:	Bianca Lee, Planner II

Project Description

The application is a request to rezone approximately 1.16 acres of property located on the east side of Port St. Lucie Boulevard between the C-24 Canal and SW Aster Road from the zoning designation of Institutional (I) zoning district to Professional (P) zoning district. The subject property is five formerly residential parcels legally described as Port St. Lucie Sec. 5, Blk. 1662 Lots 9, 10, 11, 15, & 16 that were rezoned to the Professional Zoning District (P) in 2016 (OR 16-78). A Unity of Title was included with the rezoning. The subject property is located within Conversion Area 4 and has a future land use designation of ROI. In 2021, the City Council approved an amendment to the comprehensive plan that revised Policy 1.1.4.13 to remove the Institutional Zoning District as a compatible zoning designation with the ROI land use classification (P21-047). As a result, the subject property's land use and zoning are not compatible. The applicant is applying to rezone the property to the Professional Zoning designation. The property's address is 726 SW Port St. Lucie Blvd.

Under the ROI land use designation, properties can be rezoned to LMD (Limited Mixed-Use District), P (Professional), RM-5 (Multi-Family 5 units per acre), or Residential PUD (Planned Unit Development) between 5-11 units per acre.

There is an associated application for site plan approval for a 6,950 square foot church consisting of an existing 2,950 sq ft building (existing house) and a proposed two story 4,000 sq ft attached building with a total of 52 parking spaces. Per City Code, a church falls under the definition for an Enclosed Assembly Area. Enclosed Assembly Areas 3,000 square feet or less are a permitted use in the Professional Zoning District. An Enclosed Assembly Area over 3,000 square feet requires a Special Exception Use (SEU). Prior to site plan approval, the applicant may need to apply for a Special Exception Use (SEU) depending on the size of the enclosed assembly area. The proposed site plan is attached as Attachment "A" and a rendering of the proposed project is attached as Attachment "B".

Public Notice Requirements

Public notice was mailed to owners within 750 feet of the property and the item was included in the ad for the October 3, 2023, Planning & Zoning Board meeting.

Location and Site Information

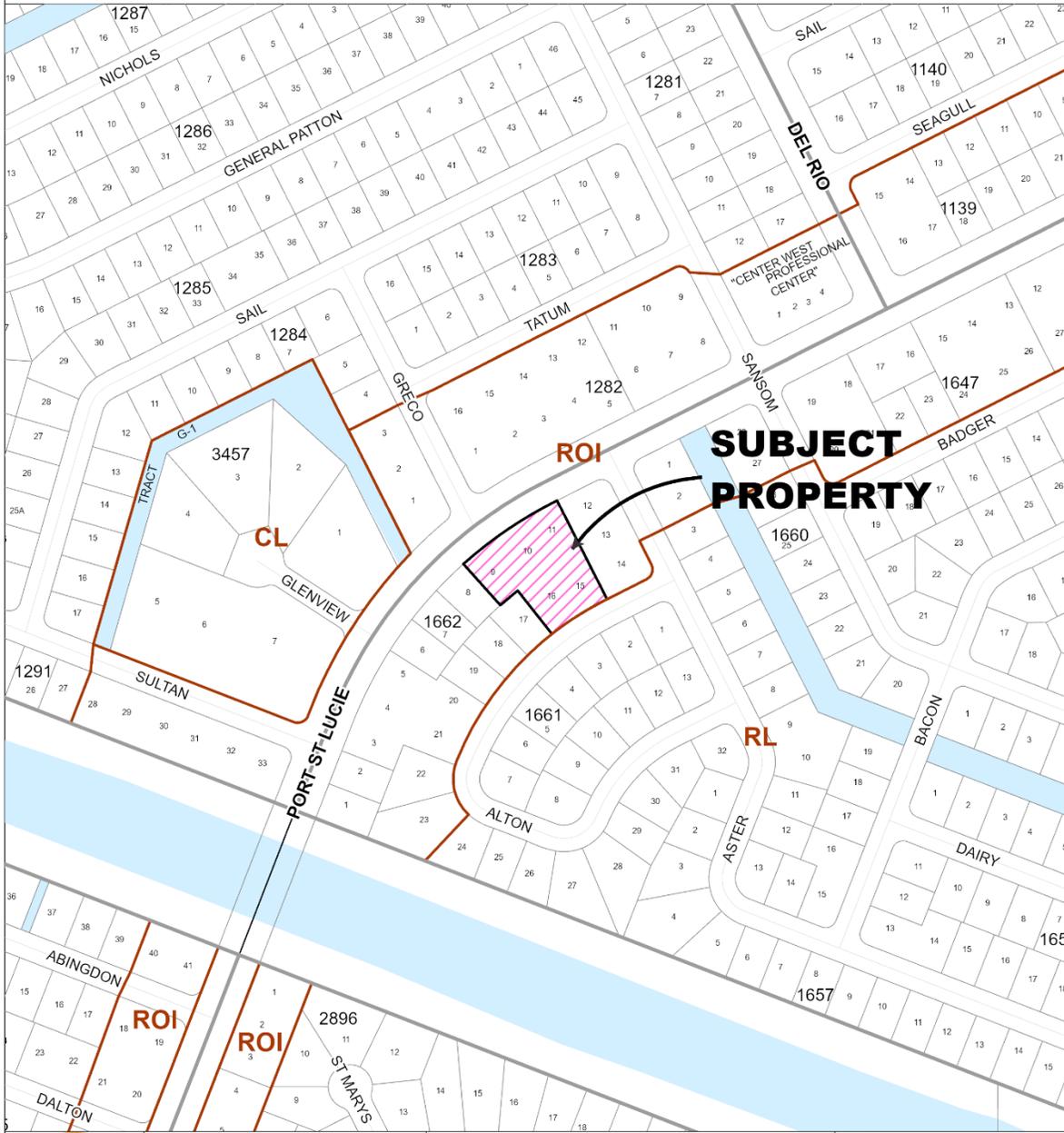
Parcel Number:	3420-520-0844-000-4
Property Size:	1.16 acres: 50,640 SF
Legal Description:	as Port St. Lucie Sec. 5, Blk. 1662 Lots 9, 10, 11, 15, & 16
Future Land Use:	ROI-Residential, Office & Institutional
Existing Zoning:	Institutional (I)
Existing Use:	Single-family residence
Requested Zoning:	Professional
Proposed Use:	A use consistent with the Professional Zoning District & Comprehensive Plan. A site plan has been submitted for a 6,950 sq. ft. church (enclosed assembly area).

Surrounding Uses

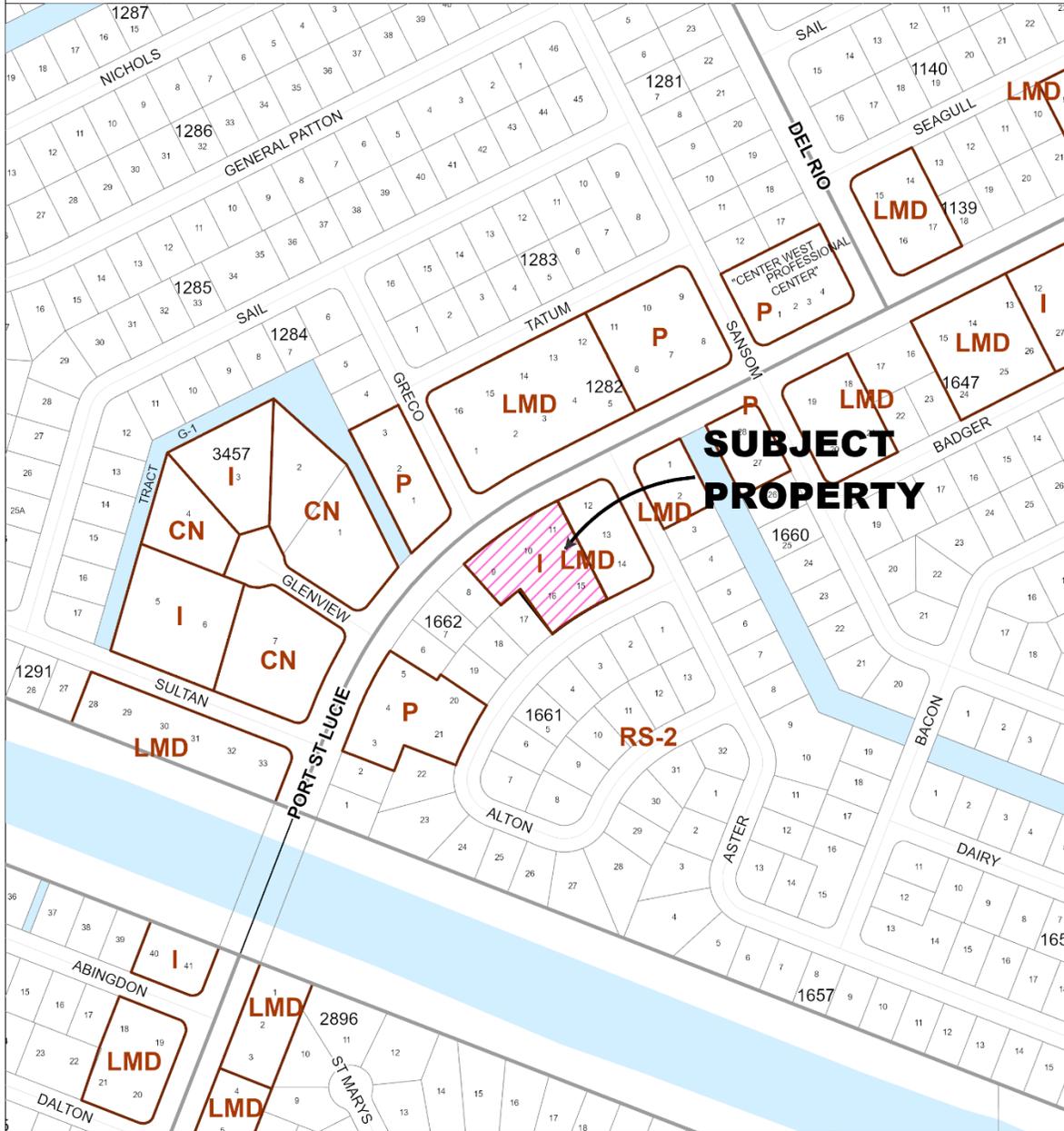
Direction	Future Land Use	Zoning	Existing Use
North	ROI	LMD	Vacant
South	RL	RS-2	Existing single-family residence.
East	ROI	LMD	Retail
West	ROI	RS-2	Existing single-family residence.

ROI-Residential, Office, & Institutional, RL- Low Density Residential, LMD-Limited Mixed-Use, RS-2-Single-Family Residential

FUTURE LAND USE



EXISTING ZONING



IMPACTS AND FINDINGS

COMPREHENSIVE PLAN REVIEW

Land Use Consistency: Proposed zoning of Professional is compatible with Policy 1.1.4.13 and future land use classification of Residential, Office & Institutional (ROI).

ZONING REVIEW

Justification Statement: The subject property is in Conversion Area 4 with an ROI future land use. In 2021, the City Council approved an amendment to the comprehensive plan that revised Policy 1.1.4.13 to remove the Institutional Zoning District as a compatible zoning designation within the ROI land use classification (P21-047). As a result, the subject property’s land use and zoning are not compatible. The applicant is applying to rezone the property to the Professional Zoning Designation. The purpose of this request is to rezone the parcels for development and align with the direction and intent of the Professional Zoning District and the City of Port St. Lucie’s Comprehensive Plan.

Staff Analysis: The rezoning classification complies with the direction and intent of the City of Port St. Lucie Comprehensive Plan and Conversion Manual. The Professional Zoning District (P) is compatible with the Residential, Office & Institutional (ROI) future land use classification, Policy 1.1.4.13 of the Future Land Use Element.

Compliance with Conversion Area Requirements

Planning Area location per Conversion Manual	4	
Is all property within planning area?	Yes	
Type of Conversion Area	ROI	
Proposed rezoning	Professional Zoning District	
Will rezoning result in isolation of lots?	No	
Has Unity of Title been submitted?	A Unity of Title was included with the previous rezoning (P16-149).	
	Required	Proposed
Minimum Frontage	160	257.01
Minimum Depth	125	250
Landscape Buffer Wall	All proposed development will have to comply with Section 154.03 (C)(5)(b) which requires a six foot masonry buffer wall when property zoned commercial, industrial, institutional, office, or public facility uses abuts property to the side or rear which is designated with a residential or open space land use.	

ENVIRONMENTAL REVIEW

The subject property will be required to submit a tree survey as part of site plan approval. A gopher tortoise survey will be required prior to clearing.

RELATED PROJECTS

P16-149 – S&W Land Investments Rezoning
Church-Omega Baptist Church of Pentecost site plan (P23-027).

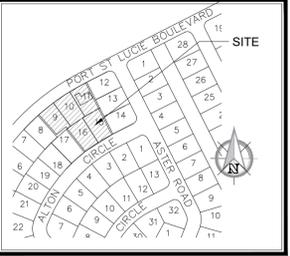
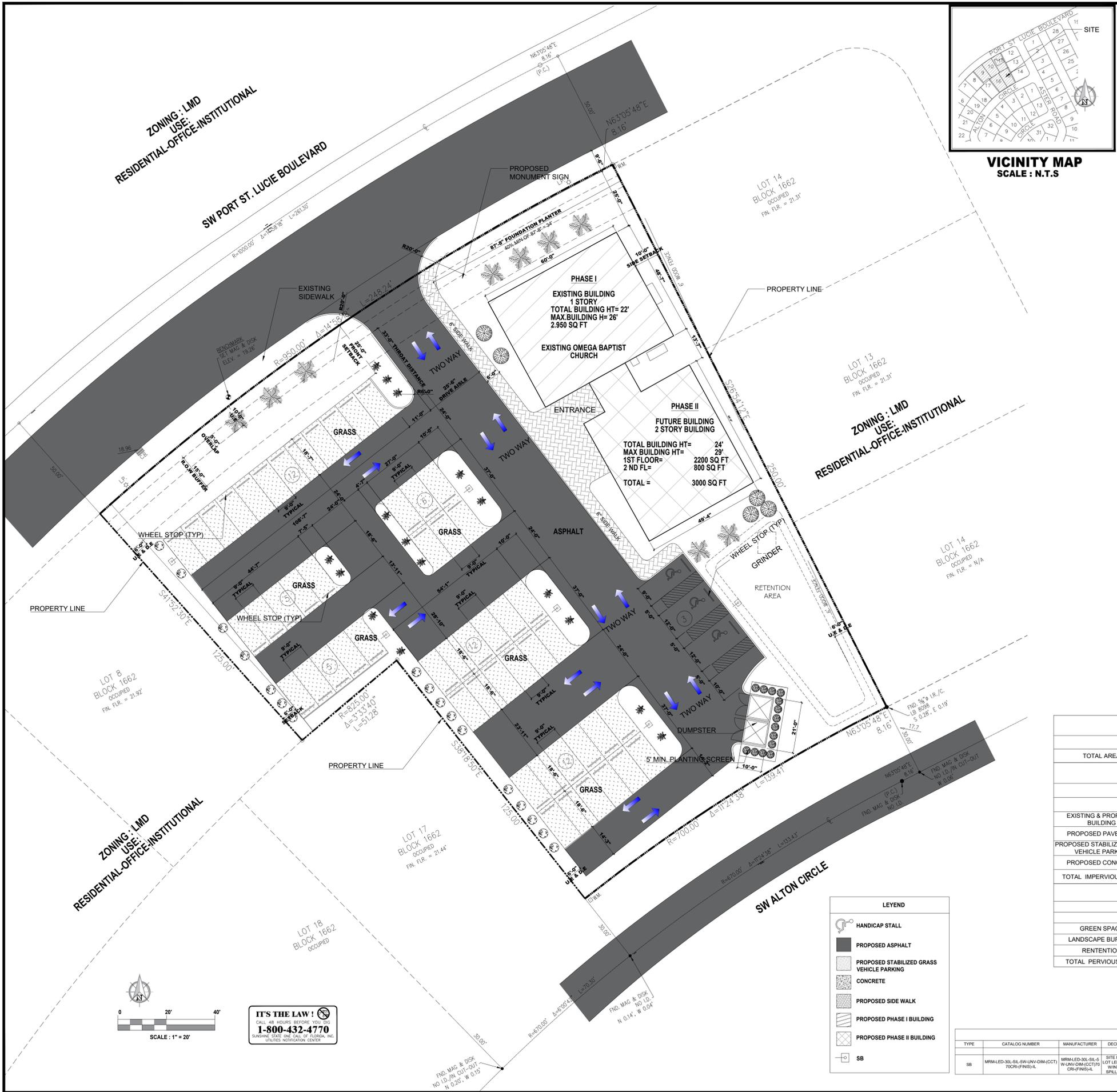
STAFF RECOMMENDATION

The Planning and Zoning Department staff finds the request to be consistent with the direction and intent of the future land use map and policies of the City's Comprehensive Plan and recommends approval.

Planning and Zoning Board Action Options:

- Motion to recommend approval to the City Council
- Motion to recommend denial to the City Council

Please note: 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.



SITE DATA	
LEGAL DESCRIPTION: LOTS 9,10,11,15 AND 16, BLOCK 1662, PORT SAINT LUCIE SECTION FIVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGE 15, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.	
CONTAINS:	50.010 SQUARE FEET OR 1.148
PARCEL ID #:	3420-520-0844-000-4
PROJECT NAME:	OMEGA BAPTIST CHURCH
OWNER:	OMEGA BAPTIST CHURCH OF PENTECOST INC.
LAND USE TYPE :	0100
FUTURE LAND USE:	CHURCH
ZONING:	RS-2
LAND USE:	ROI
BUILDING DATA:	
PHASE 1	
ALTERATION EXISTING BUILDING	
EXISTING AREA UNDER AIR	1.737.00 SF
PROPOSED AREA UNDER AIR	2.950.00 SF
PROPOSED BUILDING HEIGHT	22'
PROPOSED ADDITIONAL PARKING	
SET BACKS:	
FRONT: 25'	
SIDE: 10'	
REAR: 10'	
PHASE 2	
NEW BUILDING	4.000 S.F.
FIRST FLOOR	3.000 S.F. APROX
SECOND FLOOR	1.000 S.F. APROX
PROPOSED BUILDING HEIGHT	
PHASE 1	= 25'
PHASE 2	= 35'
MAXIMUM BUILDING COVERAGE	= 50%
TOAL BUILDING COVERAGE	= 22%
TOTAL BUILDING AREA PHASE I PHASE II	6.950 S.F.
PARKING CALCULATIONS	
PHASE 1	
OUTDOOR FACILITIES	= 15 SPACES
2.950 S.F (1 SPACE / 200 S.F)	= 3 SPACES
REQUIRED HANDICAP SPACES	= 28 SPACES
PROVIDE SPACES	= 3 SPACES
PHASE 2	
CHURCH FACILITY	= 20 SPACES
4.000 S.F (1 SPACE / 200 S.F)	= 24 SPACES
PROVIDE SPACES	= 24 SPACES
TOTAL PROVIDE SPACES PHASE I & PHASE II	52 SPACES
HANDICAP SPACES	3 SPACES

SITE DATA			
	S.F	AC	100%
TOTAL AREA	50.051	1.14	100
IMPERVIOUS AREA			
	S.F	AC	100%
EXISTING & PROPOSED BUILDING	5150.00	0.11	10.29
PROPOSED PAVEMENT	15768.00	0.36	31.50
PROPOSED STABILIZED GRASS VEHICLE PARKING	10069.00	0.23	20.00
PROPOSED CONCRETE	2463.00	0.05	0.04
TOTAL IMPERVIOUS AREA	33450.00	0.75	61.83
PERVIOUS AREA			
	S.F	AC	100%
GREEN SPACE	3350.00	0.08	0.06
LANDSCAPE BUFFERS	8847.00	0.18	31.50
RETENTION	3611.00	0.08	20.00
TOTAL PERVIOUS AREA	15808.00	0.34	51.56

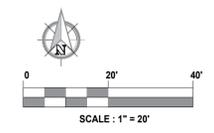
LEYEND	
	HANDICAP STALL
	PROPOSED ASPHALT
	PROPOSED STABILIZED GRASS VEHICLE PARKING
	CONCRETE
	PROPOSED SIDE WALK
	PROPOSED PHASE I BUILDING
	PROPOSED PHASE II BUILDING
	SB

LIGHT FIXTURE SCHEDULE									
TYPE	CATALOG NUMBER	MANUFACTURER	DESCRIPTION	LAMPS TYPE	DIMMING	VOLTS	MOUNTING	REMARKS	INPUT WATTS
SB	MRA-LED-30L-SL-SW-UNV-DIM-CCT70-T0CR-FINISH-L	MIRA-LED-30L-SL-SW-UNV-DIM-CCT70-T0CR-FINISH-L	SITE PARKING LOT LED FIXTURE W/INTEGRAL SPILL CUTOFF	INTEGRATED LED	0-10 V	120/277V	TENON	MOUNTED @ 25-DEGREE TYPICAL W/INTEGRAL SPILL CUTOFF	232

ZONING : LMD
USE :
RESIDENTIAL-OFFICE-INSTITUTIONAL

ZONING : LMD
USE :
RESIDENTIAL-OFFICE-INSTITUTIONAL

ZONING : LMD
USE :
RESIDENTIAL-OFFICE-INSTITUTIONAL



IT'S THE LAW!
CALL 48 HOURS BEFORE YOU DIG
1-800-432-4770
SUNSHINE STATE ONE CALL OF FLORIDA, INC.
UTILITIES NOTIFICATION CENTER

PLANS PREPARED BY:

URB DESIGN GROUP LLC

FAUSTO GUERRERO P.E.
FL License #50465
17084 SW 91 St Ave Palmello Bay Fl 33157
Phone (787)443-1686
ueosau@gmail.com

PROJECT
OMEGA BAPTIST CHURCH OF PENTECOST INC
726 SW PORT SAINT LUCIE BLVD
PORT ST LUCIE FL, 34993

OWNER
OMEGA BAPTIST CHURCH OF PENTECOST INC

SHEET CONTENTS
SITE PLAN

JOB	DATE	DRAWN	CHKD
			UR

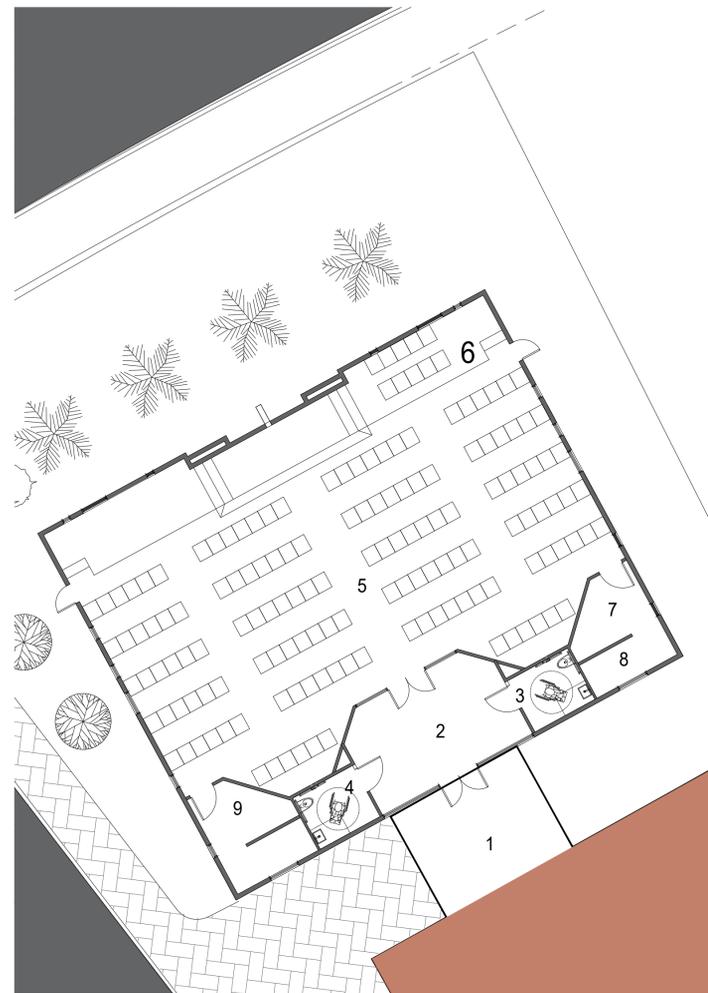
CONTRACTOR :

REVISIONS

SHEET
S1.0

OF

FAUSTO GUERRERO P.E.
FLORIDA LICENCE # 50465



- 1. ENTRANCE
- 2. FELLOWSHIP AREA
- 3. MEN'S RESTROOMS
- 4. WOMEN'S RESTROOMS
- 5. WORSHIP AREA
- 6. CHOIR
- 7. AUDIO/VIDEO ROOM
- 8. STORAGE
- 9. OFFICE

PHASE I PLAN

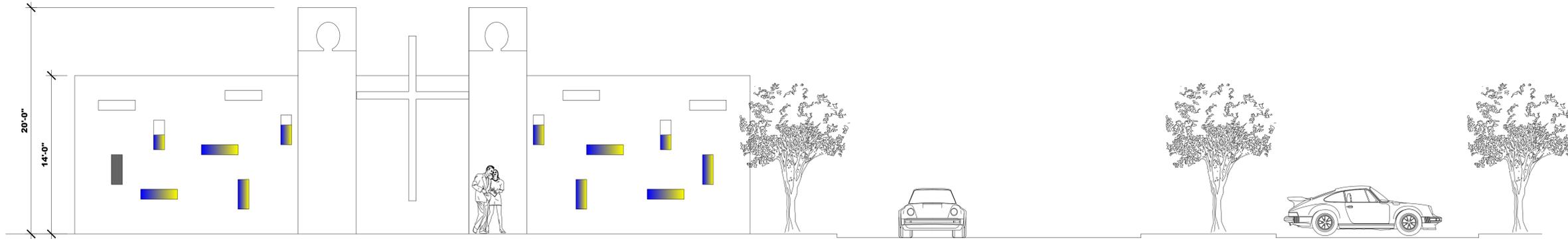
PHASE I

Convert the existing family house layout into the fellowship mall layout. 3000 sq ft aprox
 The existing shell will be retained
 New parking lot 24 spaces
 New side walk
 Construct monument tower

PHASE ii

New fellowship mall 3000 sq ft at first floor and 1000 sq ft at the second floor with offices, connecting with building of phase i.

Building phase i will be add kitchen, classrooms, conference room, bible study, offices, reception.



PHASE I SOUTH ELEVATION



PLANS PREPARED BY:

URB DESIGN GROUP LLC

FAUSTO GUERRERO P.E.
 FL Licence #50465
 17084 SW 91 St Ave Palmetto Bay Fl 33157
 Phone (305)43-1686
 ueosau@gmail.com

PROJECT
OMEGA BAPTIST CHURCH OF PENTECOST INC
 726 SW PORT SAINT LUCIE BLVD
 PORT ST LUCIE FL, 34893

OWNER
OMEGA BAPTIST CHURCH OF PENTECOST INC

SHEET CONTENTS

JOB	
DATE	
DRAWN	
CHKD	UR
CONTRACTOR :	

REVISIONS
SHEET
OF

FAUSTO GUERRERO P.E.
 FLORIDA LICENCE # 50465

RECEIVED

AUG 23 2023

**PLANNING DEPARTMENT
CITY OF PORT ST. LUCIE, FL**

Ulrick Alce
Omega Baptist Church of Pentecost
726 SW Port Saint Lucie Blvd
Port Saint Lucie, FL 34953
08/23/2023

City of Port Saint Lucie
Planning & Zoning Department
121 SW Port St. Lucie Blvd
Port St. Lucie, FL 34984

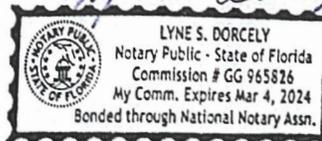
Dear City of Port Saint Lucie:

I, Ulrick Alce, provide consent for property owned by Omega Baptist Church of Pentecost located at 726 SW Port Saint Lucie Blvd, Port Saint Lucie, FL 34953 to be rezoned from Institutional (I) to Professional (P) in order for a proposed church to move forward. The subject property can be identified by parcel ID number 342052008440004 and legal description PORT ST LUCIE-SECTION 05- BLK 1662 LOTS 9, 10, 11, 15 AND 16.

Sincerely,

Ulrick Alce

Ulrick Alce
Reverend



City of Port St. Lucie REZONING P23-149

Planning & Zoning Board
October 3, 2023
Bianca Lee
Planner II

CityofPSL.com



Request:

Roberto Urbina of URB Design Group, LLC., acting as agent for the property owner, Omega Baptist Church of Pentecost Inc., is requesting approval of the rezoning of approximately 1.16 acres from Institutional (I) to Professional (P) to be consistent with the City's Comprehensive Plan.



General Information:

Owners – Omega Baptist Church of Pentecost Inc.

Applicant – Roberto Urbina of URB Design Group, LLC

Location – 726 SW Port St. Lucie Blvd.

Existing Use – Single-family home on one lot and the other four lots are vacant.



Background:

The subject property is five formerly residential parcels located on the east side of Port St. Lucie Boulevard between the C-24 Canal and SW Aster Road that are located in Conversion Area 4.

Conversion Area 4 has an ROI land use designation, the parcels were rezoned to the Professional Zoning District (P) in 2016 (OR 16-78).

In 2021, the City Council approved an amendment to the comprehensive plan that revised Policy 1.1.4.13 to remove the Institutional Zoning District as a compatible zoning designation with the ROI land use classification (P21-047).

As a result, the subject property's land use and zoning are not compatible. The applicant is applying to rezone the property to the Professional zoning designation for site development.

Associated Application

An application for site plan approval has been submitted for a proposed 6,950 square foot church consisting of an existing 2,950 sq. ft. building (existing house) and a proposed two story 4,000 sq. ft. attached building with a total of 52 parking spaces.

- There is an existing single-family residence located on lot 11.
- An application for a Special Exception Use (SEU) may be required if the assembly area is greater than 3,000 square feet.
- The applicant will be required to provide a tree survey as part of site plan review.





Lot Configuration & Surrounding Uses
Existing Single-family home

CityofPSL.com





Proposed Site Plan

CityofPSL.com





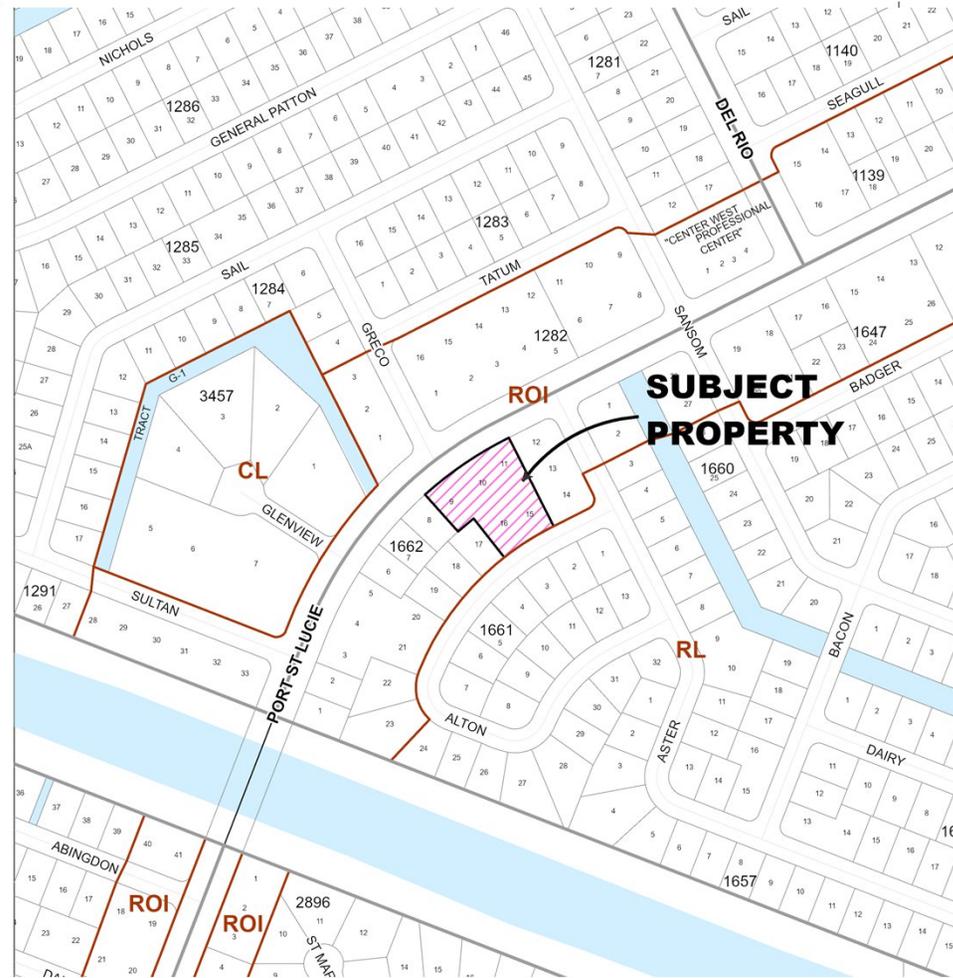
PLANS PREPARED BY: URB DESIGN GROUP LLC	
PROJECT: OMEGA BAPTIST CHURCH OF PENTECOST INC 1000 W. 10TH ST PORT ST. LUCIE, FL 34953	
OWNER: OMEGA BAPTIST CHURCH OF PENTECOST INC	
SHEET CONTENTS:	
JOB	
DATE	
DRAWN	
CHECKED	
CONTRACTOR:	
REVISIONS:	
SHEET	
DATE	
BY	
SCALE	
PROJECT NO.	
DRAWING NO.	

Site Rendering

CityofPSL.com



Future Land Use

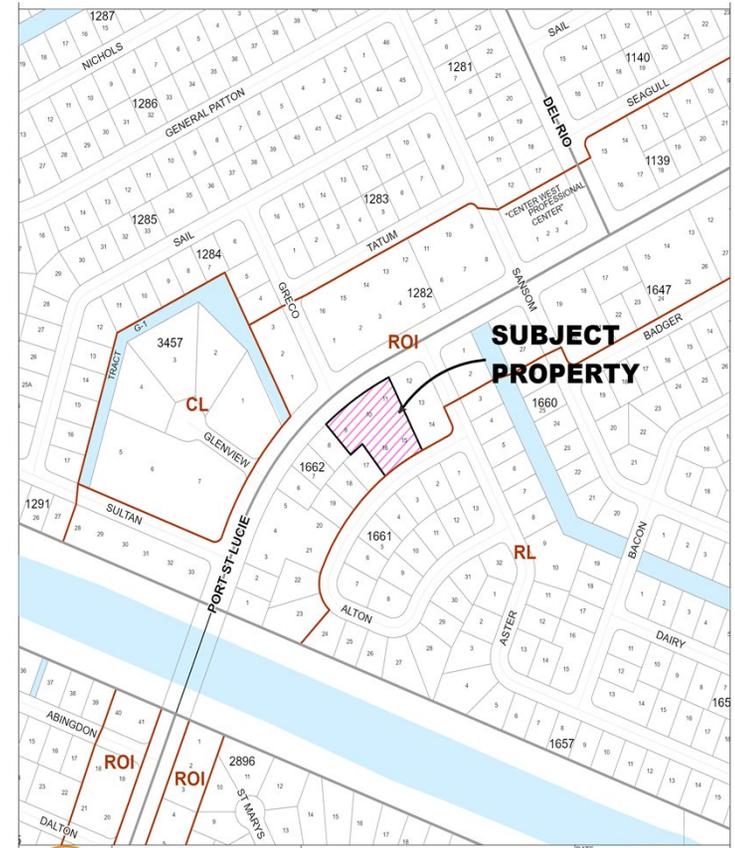


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Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	Residential, Office & Institutional (ROI)	Limited Mixed-Use (LMD)	Vacant
South	Low Density Residential (RL)	Single –Family Residential (RS-2)	Single Family Home
East	Residential, Office & Institutional (ROI)	Limited Mixed-Use (LMD)	Retail
West	Residential, Office & Institutional (ROI)	Single –Family Residential (RS-2)	Single Family Home



CityofPSL.com

Compliance with Conversion Area Requirements

CONVERSION AREA REVIEW STANDARDS		
Planning Area location per Conversion Manual	Area 4	
Is all property within planning area?	Yes	
Type of Conversion Area	Residential, Office & Institutional (ROI)	
Proposed rezoning	Professional Zoning District	
Will rezoning result in isolation of lots?	No	
Has Unity of Title been submitted?	Provided with previous rezoning (P16-149)	
	Required	Proposed
Minimum Frontage	160'	257.01 (Port St. Lucie Blvd.)
Minimum Depth	125	250
Landscape Buffer Wall	Yes, to screen from neighboring residential properties	Masonry wall and fencing will be required to screen the development from residential land uses. All proposed development will have to comply with Section 154.03 (C)(5)(b).

Justification

- The proposed rezoning is consistent with Policy 1.1.4.13 of the Future Land Use Element of the Comprehensive Plan which establishes the compatible future land use and zoning categories.
- The Professional (P) Zoning District is listed as a compatible zoning district under the Residential, Office & Institutional (ROI) future land use classification.

Policy 1.1.4.13 Future Land Use Element

<u>Future Land Use Classification</u>	<u>Compatible Zoning District</u>
Residential, Office, & Institutional (ROI)	P (Professional), I (Institutional), LMD (Limited Mixed Use), RM-5 or Residential PUD (Planned Unit Development) between 5-11 units per acre



Planning & Zoning Staff Recommendation

The Planning & Zoning Department staff recommends approval of the rezoning request.





Agenda Summary

2023-1017

Agenda Date: 11/7/2023

Agenda Item No.: 8.d

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P23-162 Scarcella, Mirko - Variance

Location: 1856 SW Kimberly Ave

Legal Description: Port St. Lucie Section 20, Block 314, Lot 8

This is a request for a variance of 3.4 feet to allow a 6.6-foot side yard setback for an existing outdoor kitchen and barbecue.

Submitted By: Francis Forman, Planner II, Planning & Zoning Department

Executive Summary: The owner is requesting a variance of three feet and four inches (3.4) to allow a six foot and six-inch (6.6) setback from the side property line for a proposed outdoor kitchen and grill. Section 158.127 (C) Accessory Uses in Single-Family Residential Districts, states that the minimum side yard setbacks for this property are 10 feet as set forth by the applicable zoning district of RS-2.

Presentation Information: Staff will provide a presentation.

Staff Recommendation: Move that the Board review the variance application and vote to approve, approve with conditions, or deny the variance request.

Background: See attached staff report.

Issues/Analysis: See attached staff report.

Special Consideration: N/A

Location of Project: 1856 SW Kimberly Ave

Attachments:

1. Staff Report
2. Applicant's Response to Variance Criteria
3. Boundary Survey
4. Warranty Deed
5. Staff Presentation



Scarcella, Mirko
Variance (Side Yard Setback)
P23-162



Figure 1. Aerial Map

SUMMARY

Applicant's Request:	To grant a variance to Section 158.217(C) of the City Code to allow for a three foot and four- inch (3.4 feet) encroachment into the side yard setback resulting in a 6'6" side yard where 10' is required, for an existing outdoor kitchen and grill.
Application Type:	Variance, Quasi-Judicial
Property Owner:	Mirko Scarcella
Address:	1856 SW Kimberly Ave
Location:	South side of SW Kimberly Avenue, north of SW Del Rio Boulevard and west of SW Congo Street.
Project Planner:	Francis Forman, Planner II

Project Description

The owner is requesting a variance of three feet and four inches (3.4 feet) to allow a six foot and six-inch (6.6 foot) setback from the side property line where 10’ is required for an existing outdoor kitchen and grill. Section 158.127(C) Accessory Uses in Single-Family Residential Districts, states that the minimum side yard setbacks for this property are 10 feet as set forth by the applicable zoning district of RS-2.

Review Criteria

An application for a variance is reviewed for consistency with Article XV of the Zoning Code, Sections 158.295 through 158.299. Final action on the application (approval or denial) is in the form of an Order of the Planning and Zoning Board following a quasi-judicial public hearing. A vote of approval by five (5) members of the Planning and Zoning Board is required to grant a variance.

Public Notice Requirements

Public notice was mailed to owners within 750 feet and the file was included in the ad for the Planning & Zoning Board’s agenda.

Location and Site Information

Parcel Number:	3420-595-0481-000-3
Property Size:	+/- 0.23 acres
Legal Description:	Lot 7 - Block 1249 - Port St. Lucie Section 20
Future Land Use:	RL (Low Density Residential)
Existing Zoning:	RS-2 (Single-Family Residential)
Existing Use:	Single-Family Residence

Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	Single-Family Residence
South	I	I	Religious Institution
East	RL	RS-2	Single-Family Residence
West	RL	RS-2	Single-Family Residence

RL, Low Density Residential – RS-2, Single Family Residential – I, Institutional

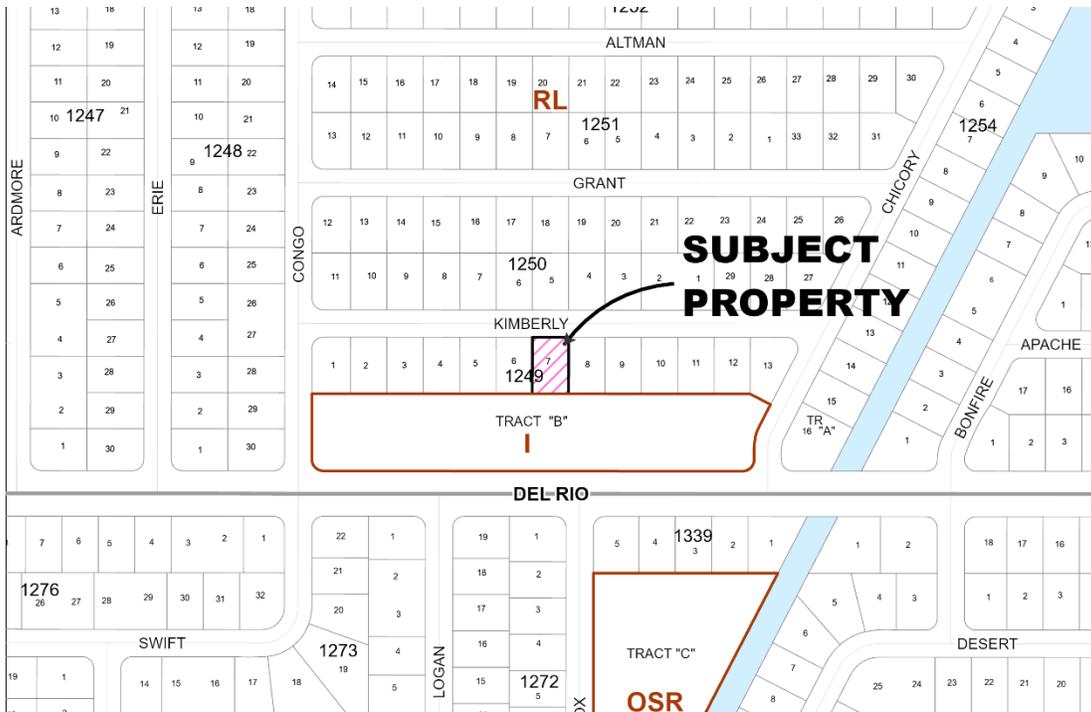


Figure 2. Land Use Map

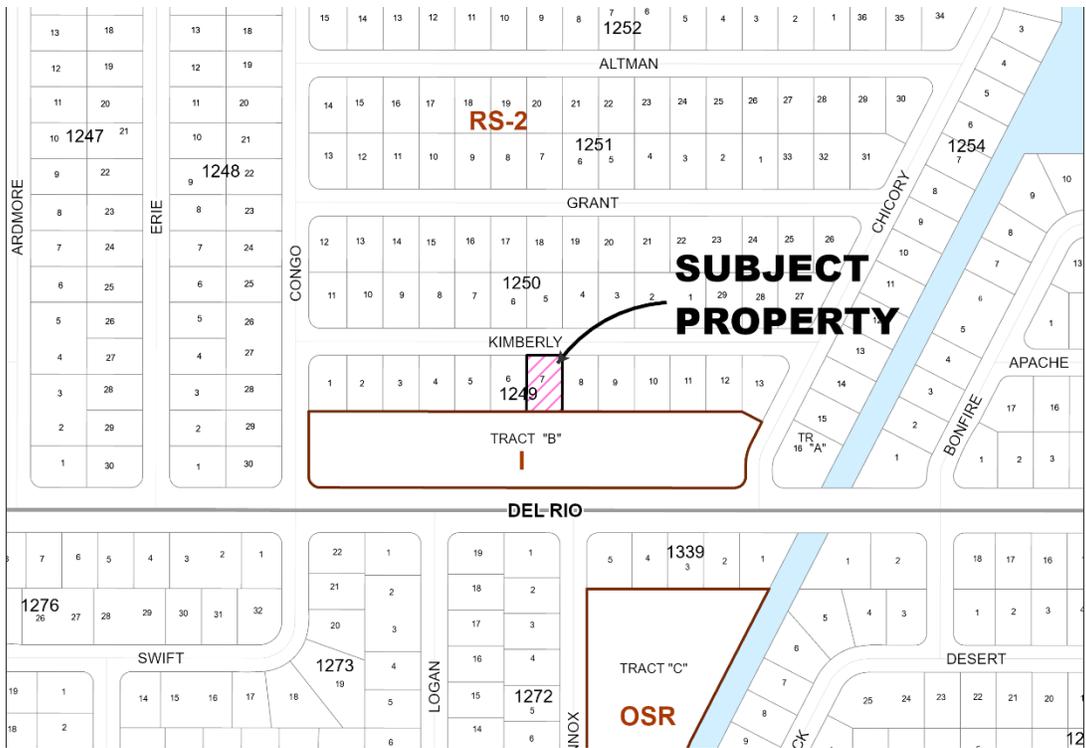


Figure 3. Zoning Map

IMPACTS AND FINDINGS

Section 158.295 (B) of the Zoning Code establishes the duties of the Planning and Zoning Board in authorizing a variance. The Planning and Zoning Board may authorize the variance from the provisions of the Zoning Code as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. Pursuant to Section 158.296, a variance is authorized only for height, area, and size of the structure, yard size, building setback, lot size requirements, and other applicable development regulations, excluding use. To authorize a variance, the Planning and Zoning Board should consider the criteria listed under Section 158.295 (B) (1) through (7). The applicant's response to this criterion is attached to the application. Staff's review is provided below.

See the applicant's responses that are included in the Variance application.

Compatibility with variance criteria Section 158:295 (B).

1. That special conditions and circumstances 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.
 - *Applicant's Response: Special conditions and circumstances peculiar to my property are primarily a result of conflicting information provided by the city building department at different points in time. The initial inquiry about the outdoor kitchen and grill, the building department informed us that no permit was required provided we maintained a 6-foot distance from the side property line and a 10-foot distance from the rear. However, upon a subsequent in-person visit to the building department, we were informed that a permit was indeed required, the side distance needs to be 10 feet instead of the initial 6 feet. As a result, an undue and unnecessary hardship has been imposed, as we've already incurred expenses and labor to construct the kitchen barbecue based on the initial information provided. The structure is not visible to the public or neighboring properties due to an existing 6-foot-high vinyl fence sounding the property. These special conditions do not generally apply to other lands, structures, or buildings in the same zoning district making this case unique. Thus, the hardship is not self-inflicted but arises from inconsistent guidance provided by the city department, leading to confusion, unnecessary expense, and construction delays.*
 - *Staff Findings: No, special conditions and circumstances do not 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.*
2. That the special conditions and circumstances do not result from any action of the applicant.
 - *Applicant's Response: The condition and circumstances leading to this variance request did not result from the actions taken by me or my family. We undertook this outdoor kitchen barbecue project in strict compliance with the guidelines and information provided by the city building department. Prior to starting construction, we made diligent efforts to obtain accurate information by contacting the building department both by phone and in person. On both occasions, we were informed that no permit would be required for the structure, given that it adhered to specified distance regulations of 6 feet from the side yard line and 10 feet from the rear. Relying on the information provided by multiple departments within the building department, we proceeded with construction. It was only after a friend raised concerns about the permit that we revisited the department, only to be informed of a different set of*

regulations, contradicting their earlier guidelines. Thus, the conditions and circumstances are a direct result of inconsistent and conflicting information from the city building department, and not from any action or oversight on our part.

- *Staff Findings: Special conditions and circumstances which are peculiar to the land, structure, or building involved do not exist. However, the owner asserts that he was given erroneous information from the building department which resulted in the installation of the structure in the side yard, and thus necessitates the variance.*
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district.
- *Applicant's Response: Granting the Variance will not confer any special privilege upon me that is denied to other lands, buildings, or structures in the same zoning district. The variance is being sought to address an issue stemming from conflicting guidance provided by the city building department, not to gain advantage or circumvent the rules that apply to everyone else in the zoning district.*
 - *Staff Findings: The granting of this variance request will confer special privilege that is denied by this chapter to other lands, however, per the applicants responses to comments #1 and #2, this variance is requested to correct the work that was done after the owner reports being provided incorrect information regarding side yard setbacks for the RS-2 zoning district.*
4. That 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.
- *Applicant's Response: A literal interpretation of the chapter's provisions, in this case, would impose an unnecessary and undue hardship on me and my family, a hardship not commonly faced by other properties in the same zoning district. We started the construction of the outdoor kitchen-barbecue based on the explicit guidelines and assurances provided by the city building department. We were informed that no permit would be required if we adhered to a distance of 6 feet from the side and 10 feet from the front of the backyard. Acting in good faith, we followed these directions meticulously.
However, inconsistent and conflicting information was later provided by the same department, stating that a permit was indeed needed and that the side distance had to be 10 feet instead of the previously specified 6 feet. Due to this, we had to incur additional unexpected expenses for hiring a licensed engineer in Florida to produce the required drawings and documentation, a cost and process not commonly necessitated for similar projects in the zoning district when adhering to initial guidelines.
We've already invested money, time, and labor into building the structure based on the initial guidance provided. Requiring us to disassemble or relocate the nearly completed structure would not only be financially burdensome but would also be emotionally taxing, all due to an error that was not our own.
Therefore, a literal interpretation of the chapter's provisions in light of the conflicting guidance we received would unjustly deprive us of rights commonly enjoyed by others in the zoning district, namely the right to rely on accurate information from city departments for property improvements. The variance request serves to rectify this specific hardship without undermining the overall intent and purpose of the zoning*

laws..

- *Staff Findings: The literal interpretation of the provisions would not deprive the applicant of any commonly enjoyed rights by other property owners. However, per comments #1 and #2, this is a variance to correct the owner being provided incorrect information regarding side yard setbacks for the RS-2 zoning district.*
5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

- *Applicant's Response: The variance requested is indeed the minimum variance that will allow for the reasonable use of the land and the already partially constructed outdoor kitchen-barbecue structure. We are not requesting any additional or excessive leniencies outside of what was initially conveyed to us by the city building department. The structure has been built 6.6 feet from the side and 10.5 feet from the front of the backyard, strictly adhering to the original guidelines provided.*

It's important to note that we undertook this project based on multiple assurances from different departments within the city building department. We did our due diligence, acting in good faith to comply with the city's instructions.

Dismantling or relocating the existing structure would impose significant financial and emotional hardship, while serving no obvious public or administrative interest. Additionally, the structure poses no detriment to public welfare or to neighboring properties. It is fully concealed by a permitted 6-foot vinyl fence and does not obstruct water drainage.

In light of these factors, the variance requested is minimal and serves solely to rectify the undue hardship imposed on us by the conflicting and inconsistent instructions from the city's building department. It enables reasonable use of our property while remaining consistent with the spirit and intent of zoning laws.

- *Staff Findings: The variance granted is not the minimum variance, however, per the owner comments #1 and #2, this is a variance to allow the structure to stay where it is because the owner states that he installed the structure (outside kitchen) after he says he was provided incorrect information regarding side yard setbacks for the RS-2 zoning district. The rear yard is fenced in, and the structure will not be visible to the neighbors or from the street.*
6. That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

- *Applicant's Response: Granting the requested variance will be in harmony with the general intent and purpose of the zoning chapter, which aims to facilitate the reasonable use of land while ensuring that such use is not detrimental to the public welfare or injurious to the surrounding area. In this specific case, the variance would serve to rectify a unique and unfortunate situation that arose due to inconsistent guidance provided by the city building department. The outdoor kitchen-barbecue structure we've built is designed to be both functional and aesthetically pleasing, in line with the character of the neighborhood. It is not visible from the street or to neighboring properties, thanks to a 6-foot vinyl fence that*

has been permitted by the city. Furthermore, the structure does not interfere with any utilities or drainage systems; it's built in an area that does not require clearance for water drainage.

As such, granting this variance would not be injurious to the area involved or otherwise detrimental to the public welfare. It would allow us to make reasonable use of our property without violating the overall spirit and intent of the zoning laws.

By resolving this issue in a manner that imposes no harm on the community or the environment, the variance would uphold the general intent of providing a balanced and reasonable approach to land use, thus aligning with the chapter's overall goals.

- *Staff Findings: The variance will not detrimentally impact the public welfare or the neighbors. The owner has installed a 6' opaque fence and as such this structure will not likely create a problem for the public.*

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

- *Applicant's Response: I fully understand and acknowledge the importance of adhering to conditions and safeguards laid out by the Planning and Zoning Board or Zoning Administrator. I am committed to full compliance with any additional conditions, safeguards, or reasonable time limits that may be prescribed to ensure the project aligns with the general intent and purpose of the zoning chapter.*

This commitment extends to starting or completing the actions for which the variance is required within any time frames that may be established. I understand that these conditions are in place to ensure that the variance, if granted, would not be injurious to the area involved or detrimental to public welfare.

In sum, I am prepared to adhere strictly to any additional conditions and safeguards that may be deemed necessary, as it is my intention to resolve this matter in a way that is in full accord with the regulations and expectations of the Planning and Zoning Board or Zoning Administrator.

- *Staff Findings: Acknowledged.*

PLANNING AND ZONING BOARD ACTION OPTIONS

The Board may choose to approve, deny or table the proposed variance. If the Board finds that the variance application is consistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code (listed above), then the Board may:

- Motion to approve
- Motion to approve with conditions

If the Board finds that the variance application is inconsistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code, then the Board may:

- Motion to deny

Should the Board need further clarification or information from either the applicant and/or staff, the Board may:

- Motion to table or continue the hearing or review to a future meeting

(NOTE TO APPLICANTS: Any request for a variance that is denied by the Planning and Zoning Board may be appealed to the Board of Zoning Appeals. Appeal applications are made through the City Clerk's office and must be submitted within 15 days after the Planning and Zoning Board hearing).

VARIANCE APPLICATION

CITY OF PORT ST. LUCIE
Planning & Zoning Department
121 SW Port St. Lucie Blvd.
Port St. Lucie, Florida 34984
(772)871-5213

FOR OFFICE USE ONLY

Planning Dept _____
Fee (Nonrefundable) \$ _____
Receipt # _____

Refer to "Fee Schedule" for application fee. Make check payable to the "City of Port St. Lucie. Fee is nonrefundable unless application is withdrawn prior to advertising for the Planning and Zoning Board meeting. **Attach two copies of proof of ownership (e.g.: warranty deed, affidavit), a copy of recent survey and a statement addressing each of the attached criteria.**

PRIMARY CONTACT EMAIL ADDRESS: office@lionadv.us

PROPERTY OWNER:

Name: Mirko Scarcella
Address: 1856 SW KIMBERLY AVE - PORT SAINT LUCIE 34953 FL
Telephone No. 7864511935

APPLICANT (IF OTHER THAN OWNER, ATTACH AUTHORIZATION TO ACT AS AGENT):

Name: _____
Address: _____
Telephone No. _____ Email _____

SUBJECT PROPERTY:

Legal Description: PORT ST LUCIE- section 20- BLK 1249- LOT 7
Parcel I.D. Number: 3420-595-0481-000-3
Address: 1856 SW KIMBERLY AVE - PORT SAINT LUCIE 34953 FL
Current Zoning Classification RS-2 single family residential

Description of requested variance and applicable conditions/circumstances justifying request (continue on separate sheet, if necessary): Provide documentation that the attached variance criteria have been met.

Description of Requested Variance:

I am requesting a variance to allow the existing outdoor kitchen-barbecue structure to remain at its current location, which is 6.1 feet from the side and 10.1 feet from the front of the backyard. The structure was built based on initial guidelines provided by the city building department, which specified that a 6-foot distance from the side and a 10-foot distance from the front were adequate, and that no permit was needed for its construction.

Applicable Conditions/Circumstances Justifying Request:

Inconsistent Guidance: The variance request arises out of conflicting and inconsistent information from the city building department. We initially contacted the department both by phone and in person and were assured that no permit would be required if the structure was 6 feet from the side and 10 feet from the front of the backyard. However, upon revisiting, we were informed that a permit was indeed needed and that the distance from the side had to be 10 feet, not 6 feet.

Due Diligence: We acted in good faith, making multiple inquiries to ensure we were adhering to the correct guidelines. We followed the initially provided distances meticulously, building the structure at 6.1 feet from the side and 10.1 feet from the front.

Financial and Emotional Hardship: Dismantling or relocating the nearly completed structure would impose significant additional costs and emotional distress, all due to an error that was not of our making.

Public Welfare: The structure is enclosed by a permitted 6-foot vinyl fence, rendering it invisible from the street and to neighboring properties. It also does not interfere with any utilities or drainage systems, posing no detriment to public welfare.



Signature of Applicant

Mirko Scarcella

Hand Print Name

9-12-23

Date

NOTE: Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted. 03/02/20

VARIANCES

§ 158.295 PLANNING AND ZONING BOARD OR ZONING ADMINISTRATOR (DIRECTOR OF PLANNING AND ZONING) TO HEAR VARIANCES; POWERS AND DUTIES OF BOARD AND ZONING ADMINISTRATOR

(C) Duties of the Zoning Administrator and Planning and Zoning Board in authorizing a variance. The Planning and Zoning Board and Zoning Administrator may authorize the variance from the provisions of this chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Planning and Zoning Board or Zoning Administrator should consider:

- (1) That special conditions and circumstances 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;
- (2) That the special conditions and circumstances do not result from any action of the applicant;
- (3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district;
- (4) That 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;
- (5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;
- (6) That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;
- (7) That there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

VARIANCES

The Planning and Zoning Board and Zoning Administrator may authorize the variance from the provisions of this chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Planning and Zoning Board or Zoning Administrator will consider the variance criteria in **§ 158.295 (C) 1-7 and consider your responses to the following when making a determination.**

(1) Please explain 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;

Special conditions and circumstances peculiar to my property are primarily a result of conflicting information provided by the city building department at different points in time. When initially inquiring about the project to build an outdoor concrete kitchen-barbecue, my family and I were explicitly informed that no permit was required, provided we maintain a distance of 6 feet from the side and 10 feet from the front of the backyard. This information was corroborated on multiple occasions and through different departments within the building department itself. Relying on this information, construction began and progressed to near completion. However, upon a subsequent in-person visit to the department, the information provided changed abruptly, and we were informed that a permit was indeed required, and the side distance needs to be 10 feet instead of the initially stated 6 feet. As a result, an undue and unnecessary hardship has been imposed, as we've already incurred expenses and labor to construct the kitchen-barbecue based on the initial information provided. The structure is not visible to the public or neighboring properties due to an existing, permitted 6-foot vinyl fence at the back of the property. Additionally, the barbecue has been built beyond areas that require clearance for water drainage, thereby presenting no public harm or contravention to the intended utility of zoning laws. These special conditions do not generally apply to other lands, structures, or buildings in the same zoning district, making this case unique. Thus, the hardship is not self-inflicted but arises from inconsistent guidance provided by the city department, leading to confusion, unnecessary expense, and construction delays.

(2) Please explain if these conditions and circumstances result from actions by the applicant;

The conditions and circumstances leading to this variance request did not result from actions taken by me or my family. We undertook this outdoor kitchen-barbecue project in strict compliance with the guidelines and information provided by the city building department. Prior to starting construction, we made diligent efforts to obtain accurate information by contacting the building department both by phone and in person. On both occasions, we were informed that no permit would be required for the structure, given that it adhered to specified distance regulations of 6 feet from the side and 10 feet from the front of the backyard.

Relying on the information provided by multiple departments within the building department, we proceeded with construction. It was only after a friend raised concerns about the permit that we revisited the department, only to be informed of a different set of regulations, contradicting their earlier guidelines.

Thus, the conditions and circumstances are a direct result of inconsistent and conflicting information from the city building department, and not from any action or oversight on our part.

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

Granting the variance will not confer any special privilege upon me that is denied to other lands, buildings, or structures in the same zoning district. The variance is being sought to address an issue stemming from conflicting guidance provided by the city building department, not to gain an advantage or circumvent the rules that apply to everyone else in the zoning district. It's important to note that the variance request is specific to the unique circumstances of my case, which involves having acted in good faith based on information from the city's building department. Other property owners who adhere to the standard guidelines would not be affected or disadvantaged by the granting of this variance, as it is not a precedent for ignoring building codes or guidelines. Rather, it is a remedy for a specific, documented hardship that arose from the inconsistent directions provided by the city. Furthermore, the structure itself is designed to be unobtrusive and compliant with the aesthetic and functional expectations of the neighborhood. It is hidden from public view by a permitted 6-foot vinyl fence and does not impede water drainage. Therefore, the variance would not result in a condition that undermines public interest or contravenes the intent of zoning laws.

Thus, the variance would serve to rectify an unfortunate situation without providing me a special privilege that would be denied to others in the same zoning district.

(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;

A literal interpretation of the chapter's provisions, in this case, would impose an unnecessary and undue hardship on me and my family, a hardship not commonly faced by other properties in the same zoning district. We started the construction of the outdoor kitchen-barbecue based on the explicit guidelines and assurances provided by the city building department. We were informed that no permit would be required if we adhered to a distance of 6 feet from the side and 10 feet from the front of the backyard. Acting in good faith, we followed these directions meticulously.

However, inconsistent and conflicting information was later provided by the same department, stating that a permit was indeed needed and that the side distance had to be 10 feet instead of the previously specified 6 feet. Due to this, we had to incur additional unexpected expenses for hiring a licensed engineer in Florida to produce the required drawings and documentation, a cost and process not commonly necessitated for similar projects in the zoning district when adhering to initial guidelines.

We've already invested money, time, and labor into building the structure based on the initial guidance provided. Requiring us to disassemble or relocate the nearly completed structure would not only be financially burdensome but would also be emotionally taxing, all due to an error that was not our own.

Therefore, a literal interpretation of the chapter's provisions in light of the conflicting guidance we received would unjustly deprive us of rights commonly enjoyed by others in the zoning district, namely the right to rely on accurate information from city departments for property improvements. The variance request serves to rectify this specific hardship without undermining the overall intent and purpose of the zoning laws.

(5) Please illustrate and explain if the variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structure;

The variance requested is indeed the minimum variance that will allow for the reasonable use of the land and the already partially constructed outdoor kitchen-barbecue structure. We are not requesting any additional or excessive leniencies outside of what was initially conveyed to us by the city building department. The structure has been built 6.1 feet from the side and 10.1 feet from the front of the backyard, strictly adhering to the original guidelines provided.

It's important to note that we undertook this project based on multiple assurances from different departments within the city building department. We did our due diligence, acting in good faith to comply with the city's instructions.

Disassembling or relocating the existing structure would impose significant financial and emotional hardship, while serving no obvious public or administrative interest. Additionally, the structure poses no detriment to public welfare or to neighboring properties. It is fully concealed by a permitted 6-foot vinyl fence and does not obstruct water drainage.

In light of these factors, the variance requested is minimal and serves solely to rectify the undue hardship imposed on us by the conflicting and inconsistent instructions from the city's building department. It enables reasonable use of our property while remaining consistent with the spirit and intent of zoning laws.

(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;

Granting the requested variance will be in harmony with the general intent and purpose of the zoning chapter, which aims to facilitate the reasonable use of land while ensuring that such use is not detrimental to the public welfare or injurious to the surrounding area. In this specific case, the variance would serve to rectify a unique and unfortunate situation that arose due to inconsistent guidance provided by the city building department.

The outdoor kitchen-barbecue structure we've built is designed to be both functional and aesthetically pleasing, in line with the character of the neighborhood. It is not visible from the street or to neighboring properties, thanks to a 6-foot vinyl fence that has been permitted by the city. Furthermore, the structure does not interfere with any utilities or drainage systems; it's built in an area that does not require clearance for water drainage.

As such, granting this variance would not be injurious to the area involved or otherwise detrimental to the public welfare. It would allow us to make reasonable use of our property without violating the overall spirit and intent of the zoning laws.

By resolving this issue in a manner that imposes no harm on the community or the environment, the variance would uphold the general intent of providing a balanced and reasonable approach to land use, thus aligning with the chapter's overall goals.

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

I fully understand and acknowledge the importance of adhering to conditions and safeguards laid out by the Planning and Zoning Board or Zoning Administrator. I am committed to full compliance with any additional conditions, safeguards, or reasonable time limits that may be prescribed to ensure the project aligns with the general intent and purpose of the zoning chapter.

This commitment extends to starting or completing the actions for which the variance is required within any time frames that may be established. I understand that these conditions are in place to ensure that the variance, if granted, would not be injurious to the area involved or detrimental to public welfare.

In sum, I am prepared to adhere strictly to any additional conditions and safeguards that may be deemed necessary, as it is my intention to resolve this matter in a way that is in full accord with the regulations and expectations of the Planning and Zoning Board or Zoning Administrator.



MIRKO SCARCELLA

9-12-23

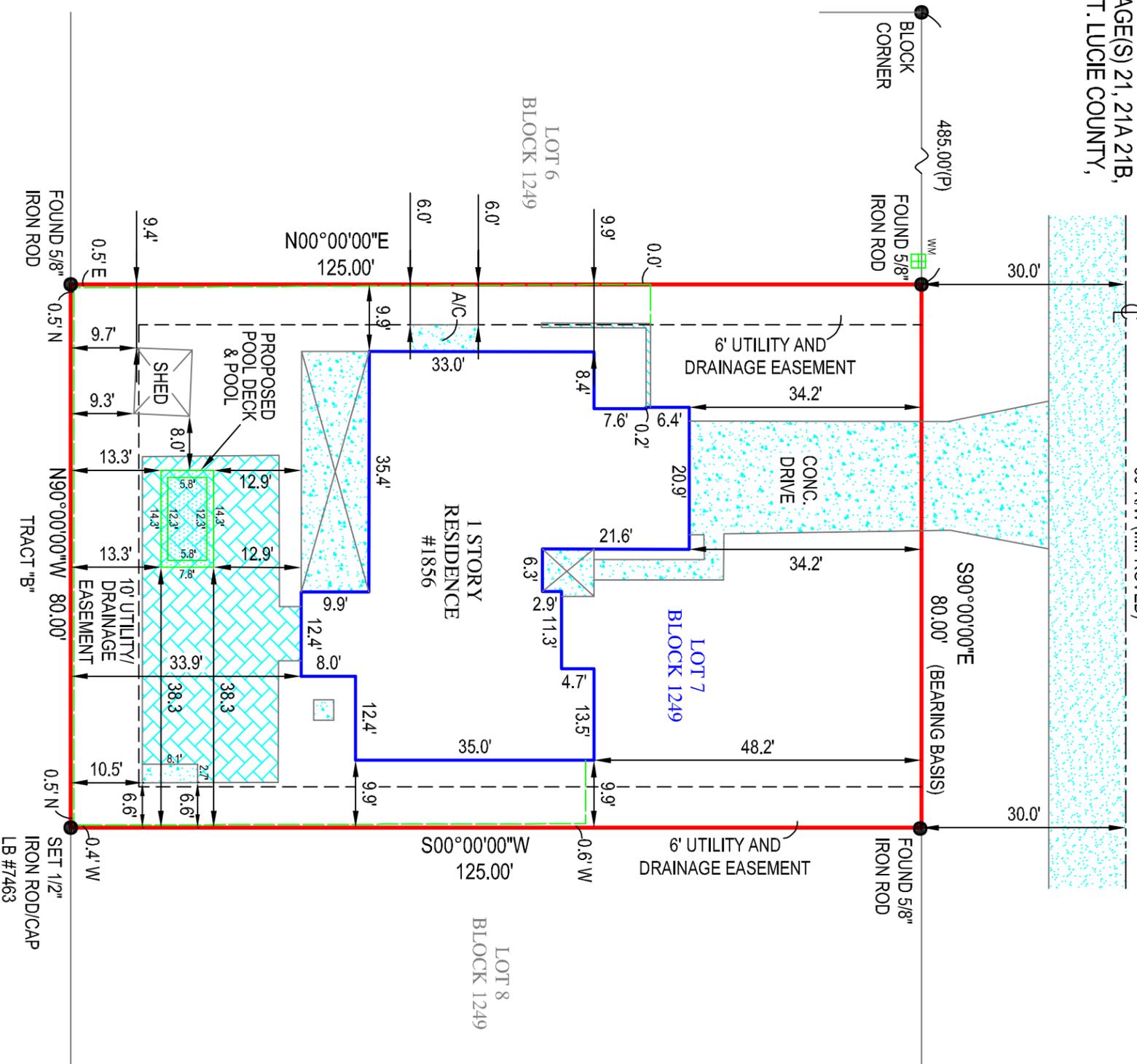
Signature of Applicant

Hand Print Name

Date

LEGAL DESCRIPTION
 LOT 7, BLOCK 1249, PORT ST LUCIE-SECTION TWENTY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13 PAGE(S) 21, 21A 21B, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA

SOUTHWEST KIMBERLY AVENUE
 60' RW (IMPROVED)

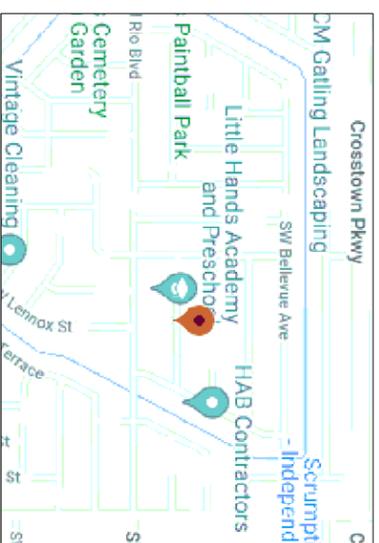


SCALE: 1"=20'

FLOOD ZONE: X
 COMMUNITY NUMBER: 120287
 PANEL: 12111C0275
 SUFFIX: J
 BASE FLOOD ELEVATION: N/A
 FIRM DATE: 02-1-2012

NOTES:

1. LEGAL DESCRIPTION PROVIDED BY CLIENT
2. NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE
3. NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY
4. ALL ANGLES OR BEARINGS AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED
5. SOME FEATURES MAY NOT BE AT SCALE IN ORDER TO SHOW DETAIL.
6. THE BEARINGS SHOWN HEREON ARE BASED UPON THE N PROPERTY LINE, HAVING A BEARING OF S90°00'00"E.



VICINITY MAP
 NOT TO SCALE

LEGEND

- A/C AIR CONDITIONER
- B.F.P. BACKFLOW PREVENTER
- C.B.S. CONCRETE BLOCK STRUCTURE
- E.L. ELEVATION
- F.F. FINISHED FLOOR
- I.D. IDENTIFICATION
- L. LENGTH
- L.B. LICENSED BUSINESS
- M. MEASURED
- N.A.V.D. NORTH AMERICAN VERTICAL DATUM
- N.G.V.D. NATIONAL GEODETIC VERTICAL DATUM
- O.R.B. OFFICIAL RECORDS BOOK
- P. PLAT
- PSM PROFESSIONAL SURVEYOR AND MAPPER
- P.R.M. PERMANENT REFERENCE MONUMENT
- P.G. PAGE
- P.B. PARKER
- PK PARKER KYLON NAIL
- R. RADIUS
- Q. CENTERLINE
- Δ AND NUMBER
- ∠ DELTA OR CENTRAL ANGLE
- CONCRETE
- CHAIN LINK FENCE
- WOOD FENCE
- MISCELLANEOUS FENCE

REVISIONS:

1. ADD PROPOSED POOL/DECK: 09-15-2023
2. DIMENSION BBO: 10/13/2023

SURVEYORS CERTIFICATE:

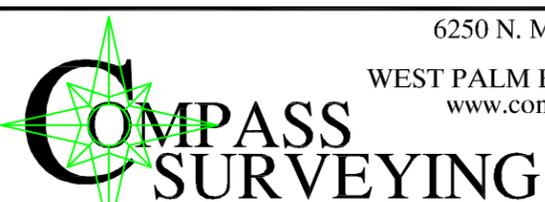
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION, NOT VALID WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE.

(SIGNED)

KENNETH J. OSBORNE
 PROFESSIONAL SURVEYOR AND MAPPER #6415

BOUNDARY SURVEY OF
1856 S.W. KIMBERLY AVENUE,
 PORT ST. LUCIE, FL. 34953
 PREPARED FOR
MIRKO SCARCELLA AND
DASHIL YARI HERNANDEZ

Project	C602966	Sheet	1 of 1
Date	09-06-2023	Scale	1"=20'



6250 N. MILITARY TRAIL SUITE 102
 WEST PALM BEACH, FL 33407
 www.compassurveying.net
 LB. 7463 PHONE: 561.640.4800 FAX: 561.640.0576

Property Identification

Site Address: 1856 SW KIMBERLY AVE
 Sec/Town/Range: 02/37S/39E
 Parcel ID: 3420-595-0481-000-3
 Jurisdiction: Port Saint Lucie

Use Type: 0100
 Account #: 71512
 Map ID: 43/02N
 Zoning: RS-2 PSL

Ownership

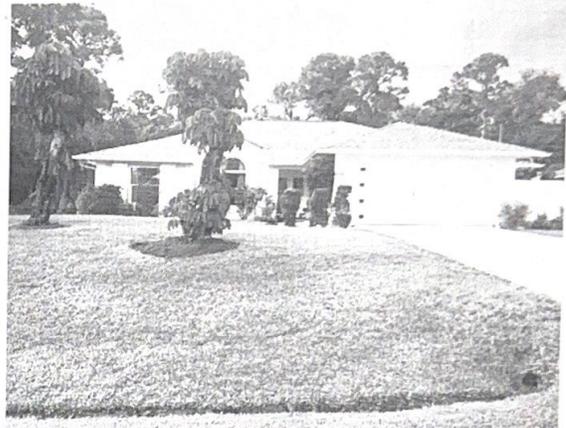
Mirko Scarcella
 Dashil Yari Hernandez
 1856 SW Kimberly AVE
 Port Saint Lucie, FL 34953

Legal Description

PORT ST LUCIE-SECTION 20- BLK 1249 LOT 7 (MAP 43/02N)

Current Values

Just/Market Value: \$347,400
 Assessed Value: \$347,400
 Exemptions: \$50,000
 Taxable Value: \$297,400



Property taxes are subject to change upon change of ownership.

- Past taxes are not a reliable projection of future taxes.
- The sale of a property will prompt the removal of all exemptions, assessment caps, and special classifications.

Total Areas

Finished/Under Air (SF): 1,853
 Gross Sketched Area (SF): 2,723
 Land Size (acres): 0.23
 Land Size (SF): 10,000

Taxes for this parcel: [SLC Tax Collector's Office](#)
 Download TRIM for this parcel: [Download PDF](#)

Building Design Wind Speed

Occupancy Category	I	II	III
Speed	140	150	160

Sources/links:

Sale History

Date	Book/Page	Sale Code	Deed	Grantor	Price
Sep 26, 2022	4898 / 2758	0001	WD	Evans Laraine B	\$437,000
Oct 3, 1991	0759 / 1520	XX01	WD	Evans Jr Edward H	\$100
Mar 6, 1990	0682 / 1134	XX00	WD	Roy C Jensen	\$10,500
Jul 1, 1978	0294 / 1920	XX00	CV		\$2,200

Building Information (1 of 1)

Finished Area: 1,853 SF
 Gross Sketched Area: 2,723 SF

Scarcella, Mirko

1856 SW Kimberly Ave

VARIANCE

Project: P23-162

Planning and Zoning Board Meeting

Francis Forman, Planner II

November 7, 2023



PROJECT SUMMARY & VARIANCE REQUEST

- A variance to Section 158.217(C) of the City Code to allow for a three-foot and four-inch (3'4") encroachment into the side yard setback for an outdoor kitchen and grill.

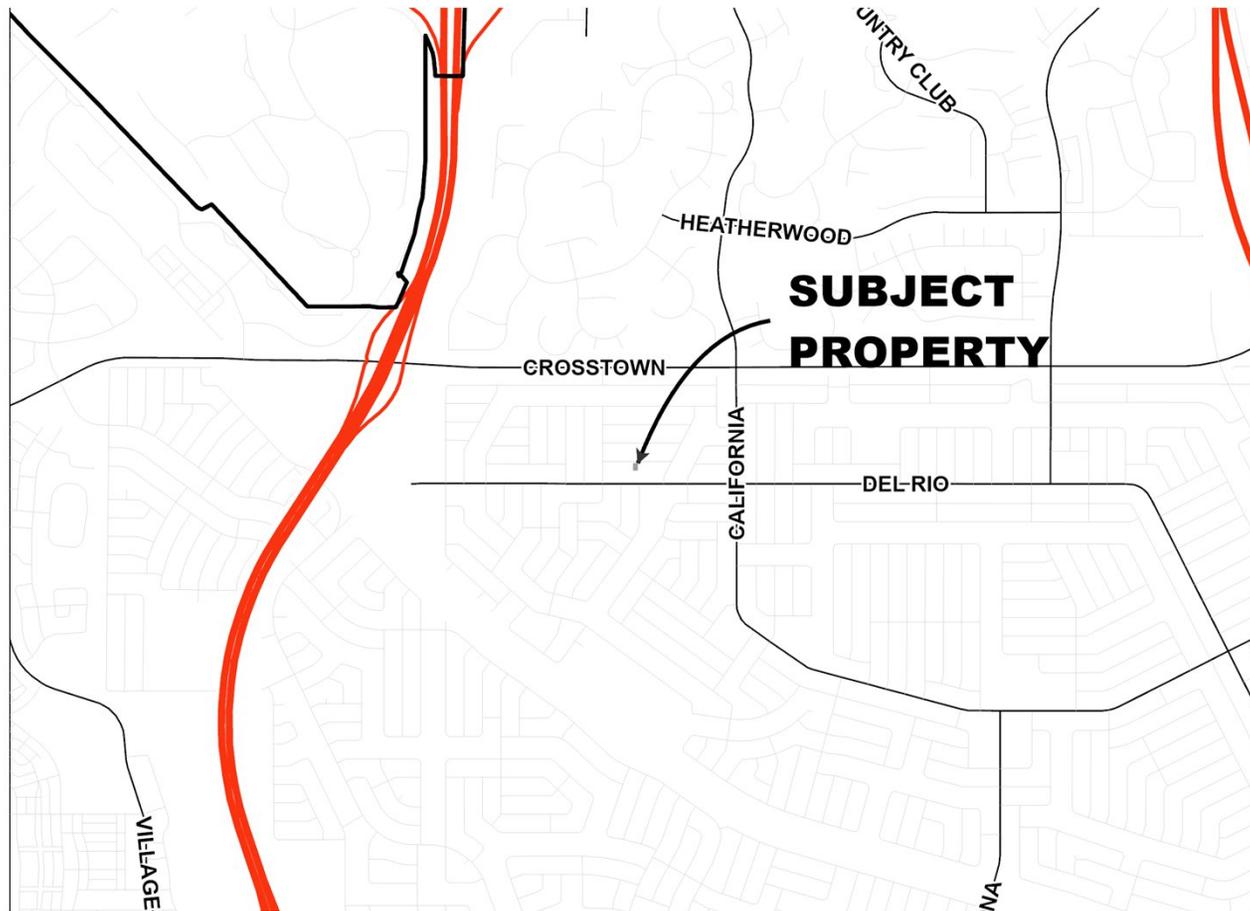


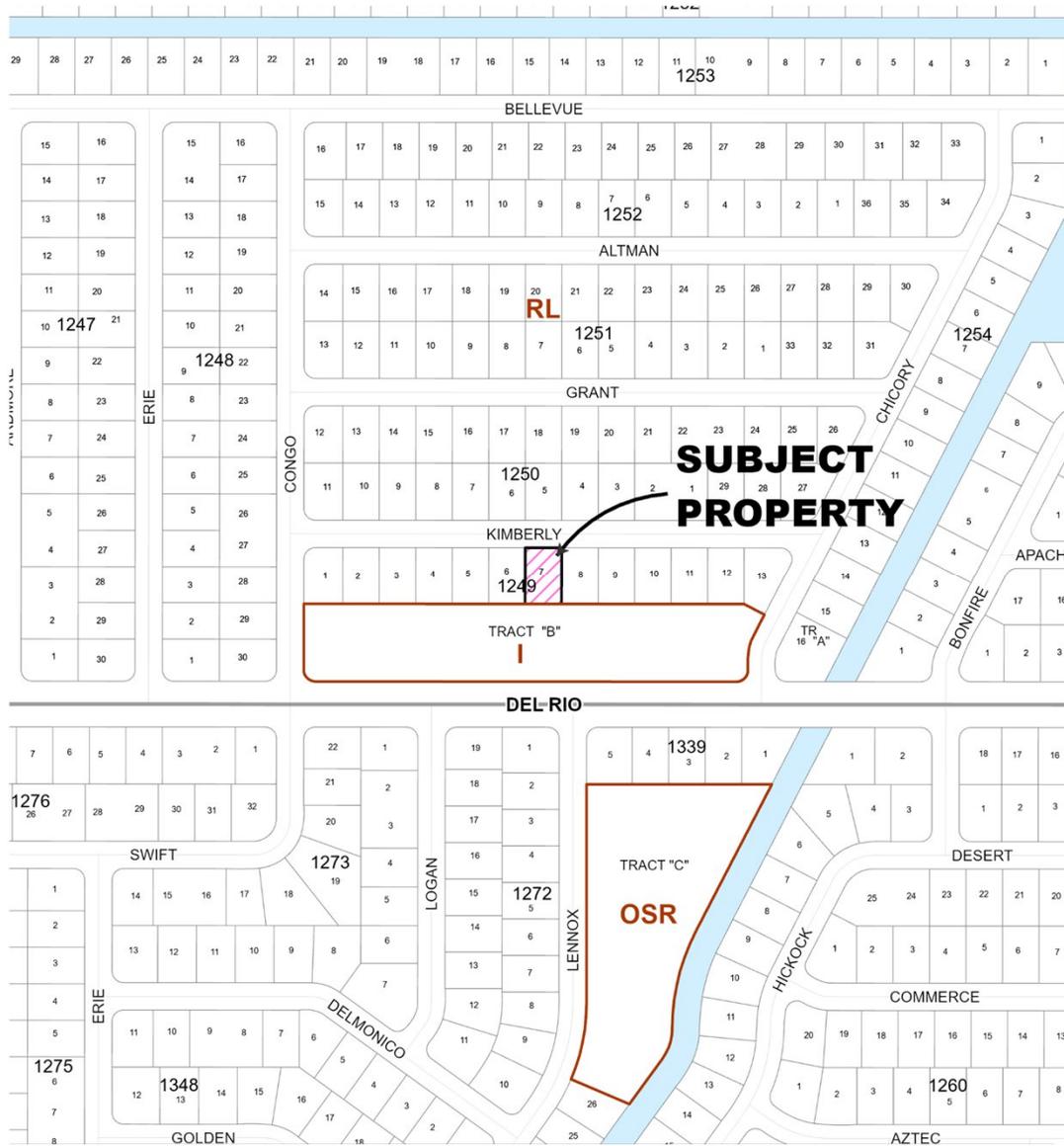
APPLICANT AND OWNER

- Owner/Applicant – Mirko Scarcella
- Location – South side of SW Kimberly Avenue, north of SW Del Rio Boulevard and west of SW Congo Street
- Existing Use – Single-Family Residence



LOCATION





Staff Findings

- The owner has applied for the variance due to constructing an outdoor kitchen and barbecue within the 10-foot side yard setback. The owner asserts that he was provided incorrect information from a city department, which is why the work began in the side yard.
- Section 158.217(C) states that any accessory structure is required to meet the minimum side yard setback of the respective residential zoning district, which is 10 feet for RS-2. The structure is 6'6" from the property line and as such requires a 3'4" variance.
- The variance granted is not the minimum, however the owner has stated that the variance is needed as a corrective step because he states he was not provided accurate information regarding the allowable side yard setback. The plumbing and mechanicals for the outside kitchen was installed based on that information at great expense so the owner is requesting a variance to be able to retain the structure where it is.
- The rear yard is fenced in with a 6' opaque fence.



QUESTIONS OR COMMENTS?

PLANNING AND ZONING BOARD ACTION OPTIONS:

- Make a recommendation to approve to City Council
- Make a recommendation to approve with conditions
- Make a recommendation to deny
- Make a motion to table





Agenda Summary

2023-1020

Agenda Date: 11/7/2023

Agenda Item No.: 8.e

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P23-170 Western Grove DRI - 4th Amendment - Map H Amendment

Location: The property is generally located south of the future extension of Crosstown Parkway, north of the future extension of SW Discovery Way, east of Range Line Road and west of SW Community Boulevard.

Legal Description: A parcel of land lying in Sections 5, 6, 7, 8, 17 and 18, Township 37 South, Range 39 East. This is an application for the 4th Amendment to the Western Grove DRI to modify Map H, the master development plan.

Submitted By: Bridget Kean, AICP, Deputy Director

Executive Summary: Mattamy Palm Beach, LLC, has applied to amend the master development plan, Map H, of the Western Grove DRI. The amendment revises the wetland and conservation areas depicted on Map H to be consistent with regulatory permits for the project. It updates the locations for the water management tracts depicted on Map H to be consistent with current development plans. It revises the layout/location for a proposed 20 -acre K-8 school site, a 2.9- acre fire station site, and a proposed 6.3- acre park site following discussions with the St. Lucie County School District and the St. Lucie County Fire District.

Presentation Information: Staff may provide a short presentation

Staff Recommendation: Move that the Board recommend approval of the proposed amendment to the City Council as recommended by the Planning and Zoning Department.

Alternate Recommendations:

1. Move that the Board amend the recommendation and recommend approval of the proposed amendment.
2. Move that the Board not approve the proposed amendment and provide staff direction.

Background: The Western Grove DRI was last amended in 2021 through Resolution 21-R06. Following that amendment, the applicant did work with the St. Lucie County Fire District and the St. Lucie County School District based on their desired locations and/or configurations for a proposed fire station and a proposed K-8 school.

Issues/Analysis: The existing Map H is adopted as Exhibit "B" to Exhibit 1 of Resolution 21-R06. No other changes are proposed to the development order other than the adoption of a revised Map H. Except for a new Map H, the Development Order will remain unchanged and in full force and effect.

Special Consideration: N/A

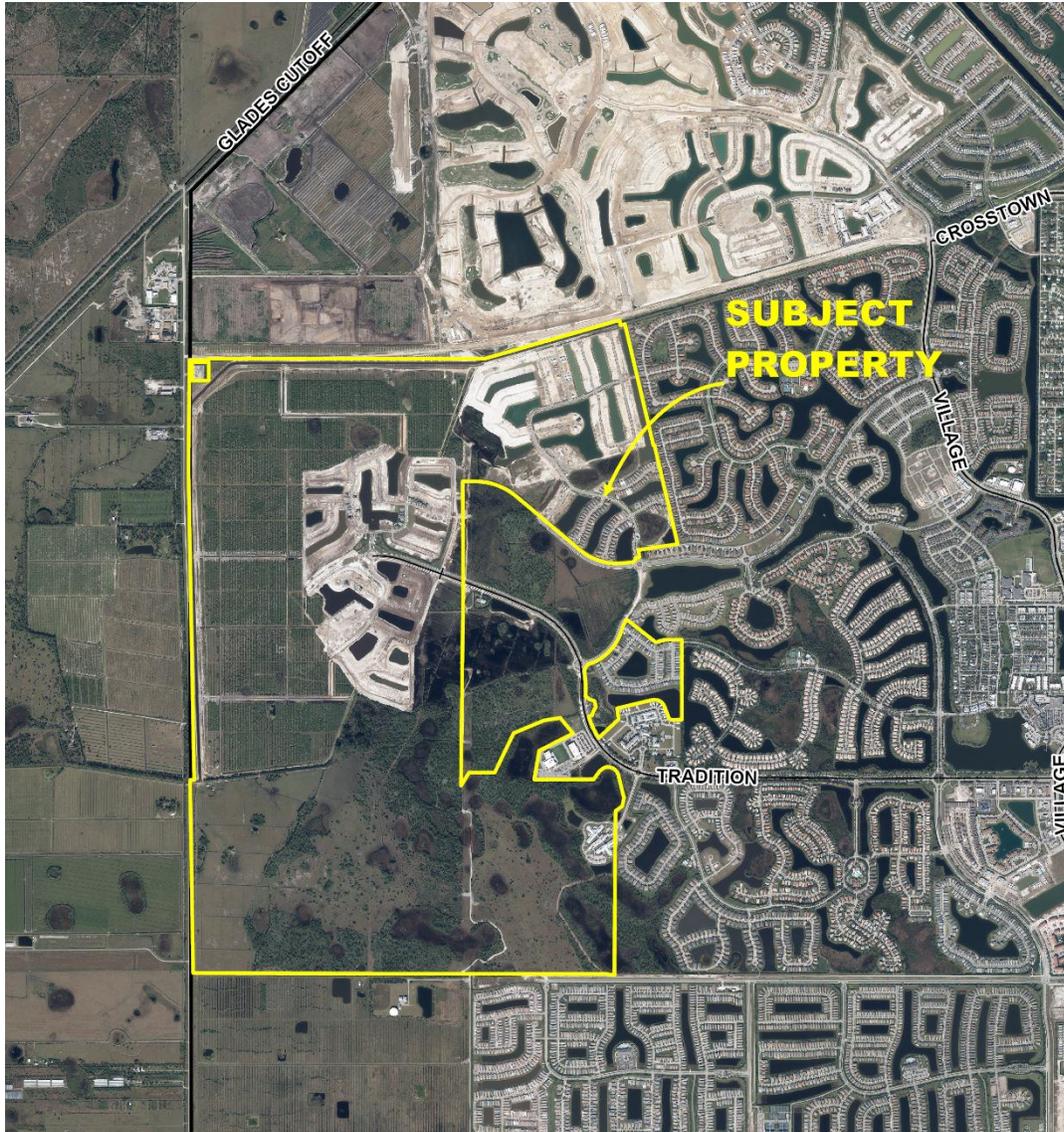
Location of Project: The property is generally located south of the future extension of Crosstown Parkway, north of the future extension of SW Discovery Way, east of Range Line Road and west of SW Community Boulevard.

Attachments:

1. Staff Report
2. Attachment "A", Existing and Proposed Map H
3. Application
4. Staff Presentation



Western Grove Development of Regional Impact (DRI) Amendment
4th Amendment to the DRI Development Order to Amend Map H, the Master Development Plan
Project No. P23-170



Project Location Map

SUMMARY

Applicant's Request:	This is an application for the 4 th Amendment to the Western Grove DRI to modify Map H, the master development plan. No other changes are proposed to the DRI development order conditions.
Agent:	Matt Yates, Lucido and Associates
Applicant:	Mattamy Palm Beach, LLC
Property Owner:	Mattamy Palm Beach, LLC
Location:	The property is generally located south of the future extension of Crosstown Parkway, north of the future extension of SW Discovery Way, east of Range Line Road and west of SW Community Boulevard.
Legal Description:	A parcel of land lying in Sections 5, 6, 7, 8, 17 and 18, Township 37 South, Range 39 East.
Application Type:	DRI Amendment
Project Planner:	Bridget Kean, AICP, Deputy Director

Project Description

Western Grove is an approved Development of Regional Impact (DRI) that is located directly east of Range Line Road, south of the proposed extension of Crosstown Parkway, north of the Discovery Way right-of-way and is approximately 1,940 acres in size. The future land use classification for the Western Grove DRI is New Community Development District (NCD). The property is zoned MPUD for the Western Grove Master Planned Unit Development Zoning District. The current development plan allows for 4,000 residential dwelling units; 200,000 square feet of retail use; and 50,000 square feet of office use.

Mattamy Palm Beach, LLC, has applied to amend the master development plan, Map H, of the Western Grove DRI. The amendment revises the wetland and conservation areas depicted on Map H to be consistent with the regulatory permits for the project. It updates the locations for the water management tracts depicted on Map H to be consistent with current development plans. It revises the layout and locations for a 2.9- acre fire station site, a 20- acre K-8 school site, and a 6.3- acre park site following discussions with the St. Lucie County School District and the St. Lucie County Fire District. The Western Grove DRI was last amended in 2021 through Resolution 21-R06. Following that amendment, the applicant did work with the St. Lucie County Fire District and the St. Lucie County School District based on their desired locations and/or configurations for a proposed fire station and a proposed K-8 school.

A location analysis was conducted for the Fire District which showed proposed and existing locations for fire stations. Based on the analysis, the location for the Western Grove fire station was relocated further south on N/S A for more even distribution to the surrounding future residences and more even distances between fire stations.

The proposed change to the 20- acre school site is based on discussions with the school district and the need to buffer the K-8 school site from the existing FPL transmission lines easement to the east. The proposed revisions to Map H now depict the school site buffered by approximately 6.3 acres of park land to the north and the east. The 6.3 acres will be developed as a linear park that will be directly adjacent to Tradition Regional Park and provide non-motorized access to the regional park. The 6.3 acres is in addition to the park acreage that the developer has to deed to the City to meet the requirements of the Western Grove DRI. Per Condition 63 of the Western Grove DRI development order, the developer is required to provide 50 acres of net usable land for public parks to meet the demand created by the residential

component of the Western Grove DRI. Tradition Regional Park meets the park and recreation requirements for both the Tradition DRI and the Western Grove DRI.

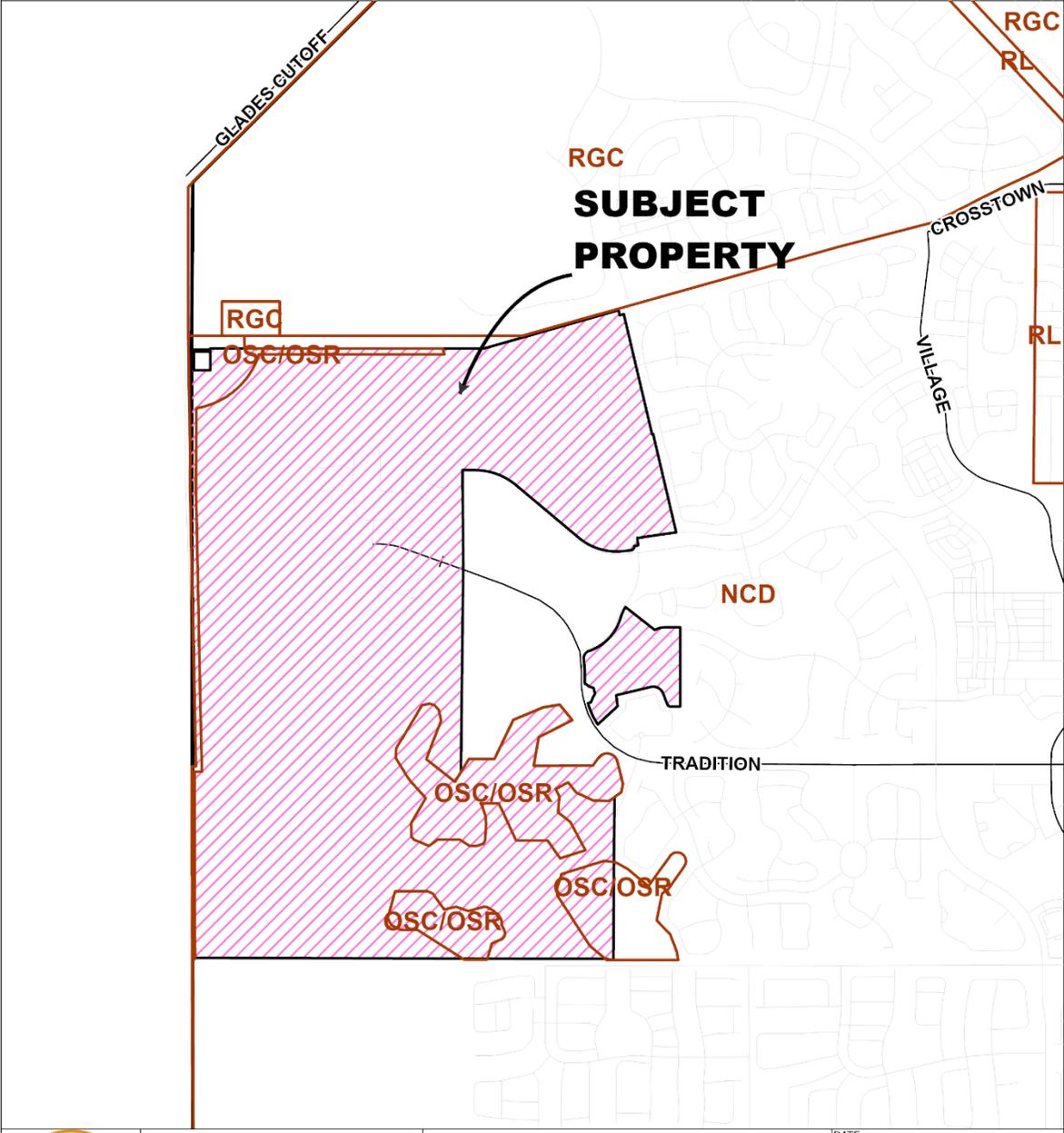
The existing Map H is adopted as Exhibit “B” to Exhibit 1 of Resolution 21-R06. No other changes are proposed to the development order other than the adoption of a revised Map H. Except for a new Map H, the Development Order conditions adopted under Resolution 21-R06 remain unchanged and in full force and effect.

The adopted Map H and the proposed revision to Map H are provided as Attachments “A” and “B” to the staff report respectively.

Previous Actions and Prior Reviews

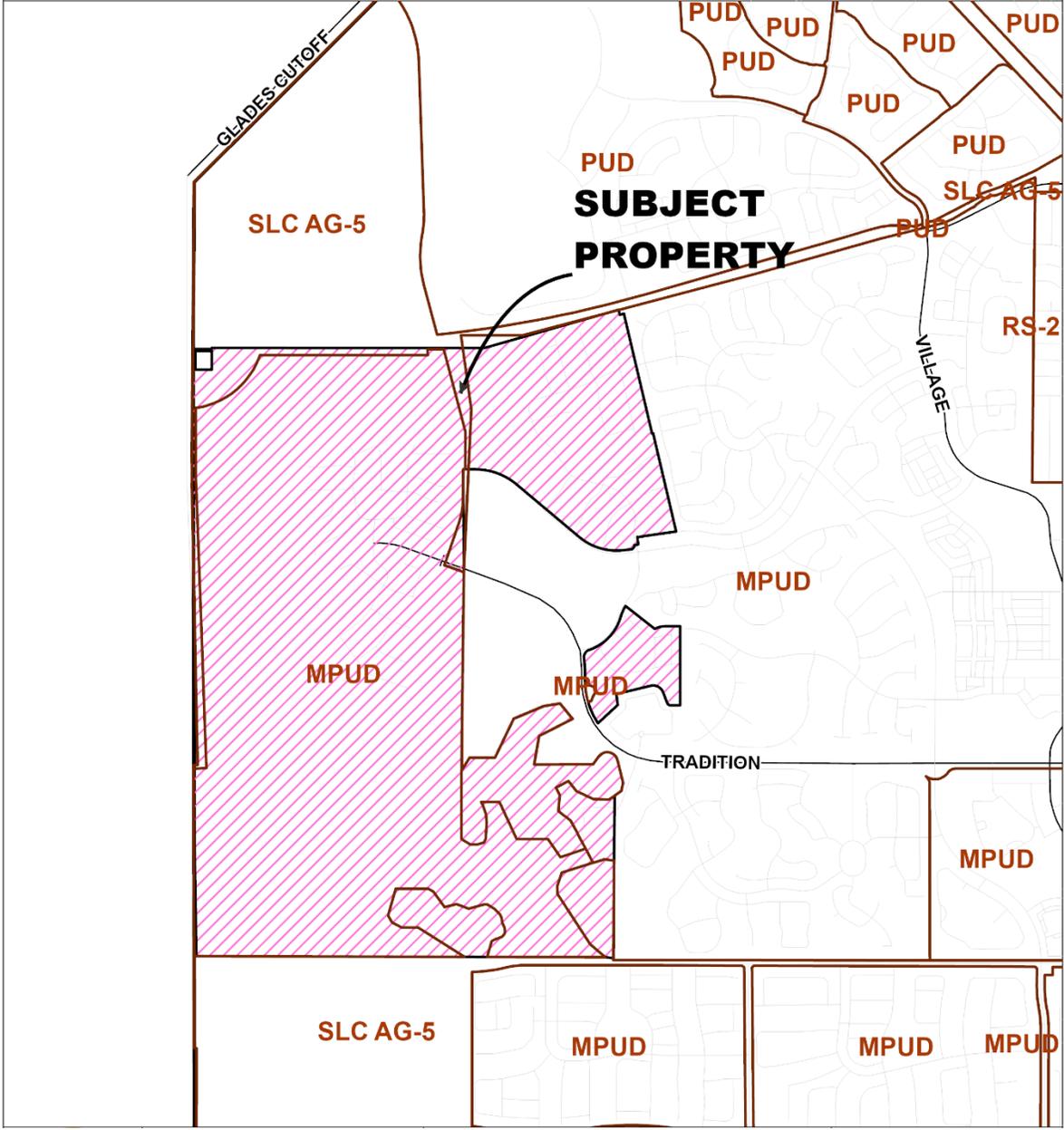
The Western Grove DRI Development Order (Resolution 06-R77) was originally approved by the City Council on February 26, 2007. The City Council approved the first amendment to the DRI Development Order (Resolution 16-R24) on April 25, 2016 and the second amendment to the DRI Development Order (Resolution 18-R84) on November 13, 2018. The third amendment to the Western Grove DRI Development Order was approved by the City Council on January 25, 2021 through Resolution 21-R06.

FUTURE LAND USE



..

EXISTING ZONING



Analysis

Section 380.06(7)(a) of the Florida Statutes requires any proposed change to a previously approved DRI to be reviewed by the local government based on the standards and procedures in its adopted local comprehensive plan and adopted local land development regulations. The Western Grove DRI has a future land use of New Community Development District or NCD. NCD is a future land use classification for DRIs to facilitate the development of mixed-use communities. Objective 1.2.8 of the Future Land Use Element of the City of Port St. Lucie Comprehensive Plan establishes the Tradition/Western Grove NCD District. Policy 1.2.8.1 identifies the density and intensity of the Tradition/Western Grove NCD District. Since no changes are proposed to approved entitlements in the Western Grove DRI, the proposed DRI amendment is consistent with Policy 1.2.8.1. Figure 1-3 of the Future Land Use Element is the conceptual land use plan for both the Tradition and the Western Grove DRIs. It depicts the Residential, Mixed Use, Town Center, and Neighborhood/Village Commercial land use sub-districts in Tradition and the Residential and Neighborhood/Village Commercial land use sub-districts in Western Grove as well as open space. The proposed changes to the locations for the school and fire station are within a residential sub-district and do not impact Figure 1-3.

STAFF RECOMMENDATION

The Planning and Zoning Department staff finds the petition to be consistent with the intent and direction of the City's comprehensive plan and recommends approval of the proposed DRI amendment as depicted in Attachment "B" to the staff report.

Planning and Zoning Board Action Options:

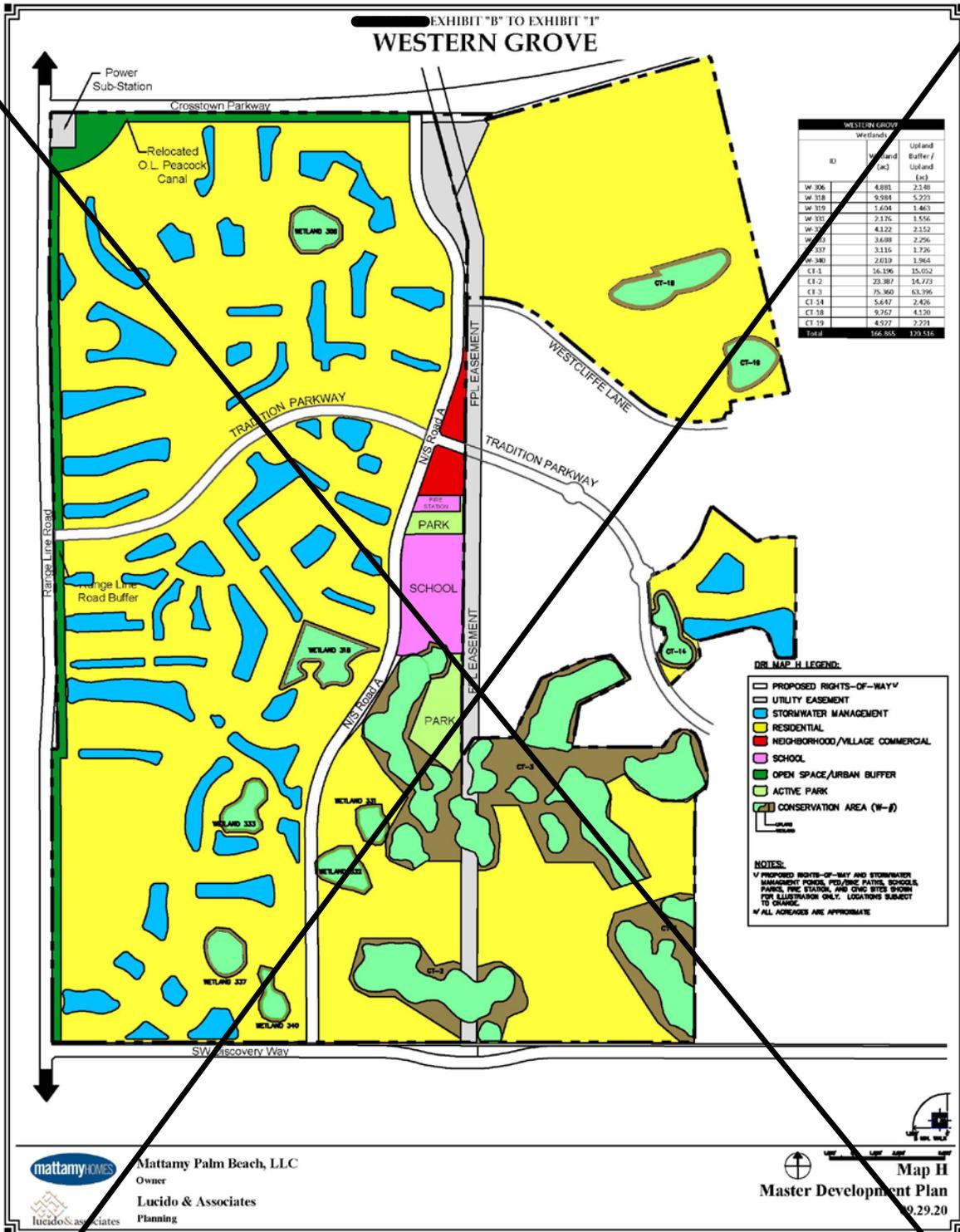
- Motion to recommend approval to the City Council
- Motion to recommend denial to the City Council

Please note: 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.

Exhibit 1

Existing Map H

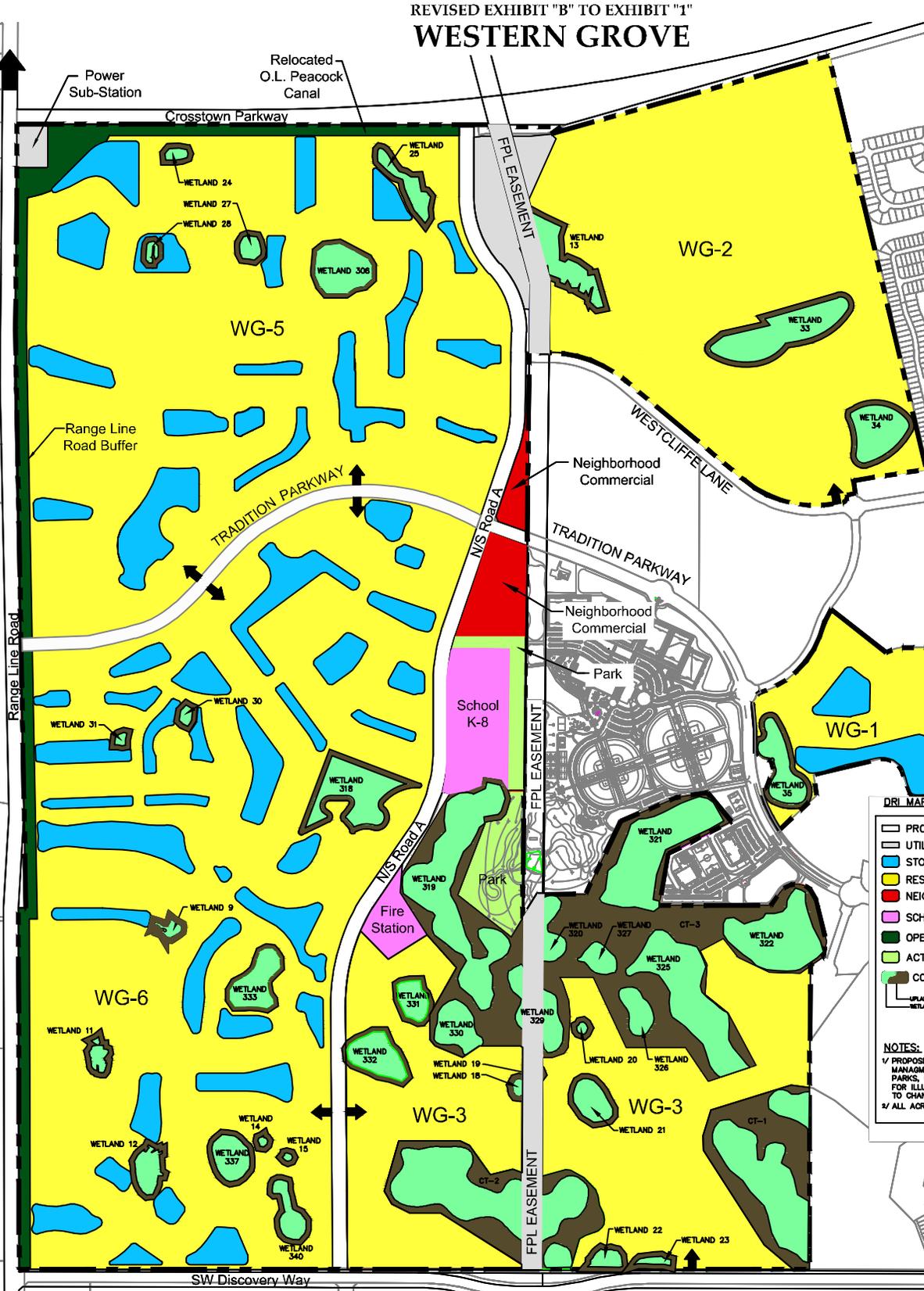
~~Proposed Map H~~



mattamy Mattamy Palm Beach, LLC
 Owner
Lucido & Associates
 Planning

Map H
Master Development Plan
 09.29.20

REVISED EXHIBIT "B" TO EXHIBIT "1"
WESTERN GROVE



WESTERN GROVE		
ID	Wetland (ac)	Upland Buffer / Upland (ac)
W-9	0.6	1.38
W-11	0.97	1.43
W-12	2.21	1.85
W-13	6.1	3.83
W-14	0.17	0.6
W-15	0.13	0.53
W-18	0.46	0.79
W-19	0.39	0.67
W-20	0.24	0.63
W-21	2.8	1.69
W-22	1.12	1.3
W-23	0.5	1.28
W-24	0.53	0.9
W-25	2.4	2.54
W-27	1.01	1.07
W-28	0.44	0.92
W-30	0.46	0.83
W-31	0.27	0.72
W-33	9.11	3.99
W-34	5.5	2.32
W-35	4.61	2.46
W-306	4.88	2.15
W-318	7.55	4.51
W-331	2.18	1.52
W-332	4.12	2.15
W-333	3.69	2.3
W-337	3.11	1.72
W-340	2.27	2.06
W-319	19.74	
W-320	3.6	
W-321	13.8	
W-322	10.93	
W-325	14.33	
W-326	2.52	
W-327	1.9	
W-329	6.34	
W-330	3.97	
CT-1	16.2	15.05
CT-2	23.39	14.77
CT-3		64.29
Total	184.54	142.25

DRI MAP H LEGEND:

- PROPOSED RIGHTS-OF-WAY^{1/}
- UTILITY EASEMENT
- STORMWATER MANAGEMENT
- RESIDENTIAL
- NEIGHBORHOOD/VILLAGE COMMERCIAL
- SCHOOL
- OPEN SPACE/URBAN BUFFER
- ACTIVE PARK
- CONSERVATION AREA (W-#)

NOTES:

^{1/} PROPOSED RIGHTS-OF-WAY AND STORMWATER MANAGEMENT PONDS, PED/BIKE PATHS, SCHOOLS, PARKS, FIRE STATION, AND CIVIC SITES SHOWN FOR ILLUSTRATION ONLY. LOCATIONS SUBJECT TO CHANGE.

^{2/} ALL ACRES ARE APPROXIMATE

Planning / Applications / P#: P23-170

Legal Request

- Application
- Comments
- Submittals
- Inspections
- Meetings
- Allowed Users
- BlueBeam
- History
- Fees
- Conditions
- Files
- Reports

UE Application Save

Project Name:

Western Grove-DRI - Map "H" Amendment

Management/Property Information Reviewers

Management

Project Type: *

DRI CONCEPTUAL MASTER PLAN/AMENDMENT

Status:

P&Z MEETING SCHEDULED

Approved Date:

Project Number: *

P23-170

Amended Number:

Utility File Number :

Type file number...

Building Type :

Select...

Primary Email Address:

myates@lucidodesign.com

Describe Request:

Western Grove Map H Amendment - to update wetland locations to be consistent with SFWMD and DEP protected wetlands, memorialize proposed school parcel location, memorialize proposed park parcel location, memorialize fire proposed fire station parcel location, update proposed water management lakes within development pods

Check this if Exempt from Public Records Request:

Property Information

Address:

Project Site Location:

City Section:

Block:

WesternGrove

Lot:

Legal Description:

+

Parcel Number

No data

Current Land Use:

Select...

Current Zoning:

Select...

Proposed Zoning:

Select...

Utility Provider:

Select...

Acreage:

Administrative:

Architectural Elevations:

Agent/Applicant Property Owners Authorized Signatory of Corporation Project Architect/Engineer

Agent First Name:

Matthew

Agent Last Name:

Yates

Agent Business Name:

Lucido and Associates

Agent Phone:

(772) 220-2100

Agent Address: 701 E Ocean Blvd			
Agent City: Stuart	Agent State: FLORIDA	Agent Zip: 34994	Agent Email: myates@lucidodesign.com
			<input type="button" value="Save"/>

***Mattamy Palm Beach, LLC
1500 Gateway Blvd, Suite 212
Boynton Beach, FL 33426***

10/25/2023

Planning & Zoning Department
City of Port St. Lucie
121 S.W. Port St. Lucie Boulevard, Building B
Port St. Lucie, FL 34984-5099

**Re: Owner's Authorization – Western Grove DRI
City of Port Saint Lucie**

To Whom It May Concern:

As owner of the property referenced above, please consider this correspondence as formal authorization for LUCIDO & ASSOCIATES to represent Mattamy Palm Beach, LLC as Applicant during the governmental review process for the above noted project.

Thank you for your attention to this matter.

Sincerely,

DocuSigned by:
Frank Covelli
06D476BCD247448...

Frank Covelli,
Vice President – Land Development & Amenities | Southeast Florida Division



September 20, 2023

via electronic submittal

Port St. Lucie Planning & Zoning Department
121 SW Port St. Lucie Boulevard
Port St. Lucie, FL 34984

RE: Western Grove DRI – DRI Map Amendment Application

On behalf of Mattamy Palm Beach , LLC (“Owner”), we are pleased to submit an application for DRI Map Amendment for a portion of City known as Western Grove.

Enclosed with this letter please find the following materials:

DRI Map Amendment

- a. REVISED Map H (Master Plan)

DRI MAP AMENDMENT:

REVISED MAP H-1

- a. Update wetland and conservation areas to be consistent with protected wetlands per the SFWMD and DEP permits;
- b. Memorialize 20 ac school dedication parcel and location;
- c. Memorialize 2.9 ac fire station dedication parcel and location;
- d. Memorialize 13 ac park dedication parcel and location;
- e. Update water management lake locations within community development pods

Applicant: Lucido & Associates

Owner: Mattamy Palm Beach, LLC

Location: Bordered by SW Discovery Way to the South, Tradition communities to the East, Crosstown Parkway to the North, and Range Line Road to the West

Sewer/Water Service:

The City of Port St. Lucie Utility Systems Department is the provider of water and sewer service to the subject property. Under the current NCD future land use designation and MPUD zoning, the most intense use would be neighborhood commercial.

Transportation: There is no anticipated increase in traffic due to the requested changes. The existing Western Grove DRI development order addresses traffic impacts and the required associated improvements for a maximum threshold of development in order to ensure acceptable levels of service on the adjacent roadways.

Park/Open Space: The property currently has 13 acres for a public park and a separate 20 acres for a school site for a total of 33 acres. The proposed park site will provide adequate land to maintain the City’s level of service of 5.0 acres per 1,000 population.

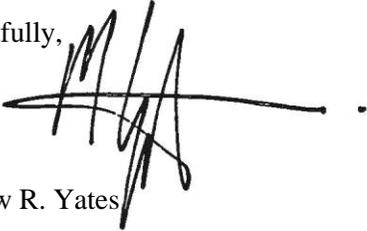
701 E. Ocean Blvd. Stuart, FL 34994 P (772)220 – 2100 F (772)223 – 0220

Schools: The St. Lucie County School Board staff has agreed to the proposed location of the school site, which is proposed centrally within the DRI boundary along N/S Road A and adjacent to park sites.

Storm Water: The project will be required to provide paving and drainage plans that are in compliance with adopted levels of service standards.

Upon your review, if you have any questions, please contact me directly at (772) 220-2100.

Respectfully,

A handwritten signature in black ink, appearing to read 'Matthew R. Yates', followed by a horizontal line and a period.

Matthew R. Yates

4th Amendment to the Western Grove DRI P23-170

Planning and Zoning Board Meeting
November 7, 2023

CityofPSL.com



Request Summary

Applicant's Request:	This is an application for the 4 th Amendment to the Western Grove DRI. The proposal is to amend Map H, the DRI master development plans. No changes are proposed to the DRI development order conditions of approval.
Agent:	Matt Yates, Lucido and Associates
Applicant /Property Owner:	Mattamy Palm Beach, LLC
Location:	The property is generally located south of the future extension of Crosstown Parkway, north of the future extension of SW Discovery Way, east of Range Line Road and west of SW Community Boulevard.

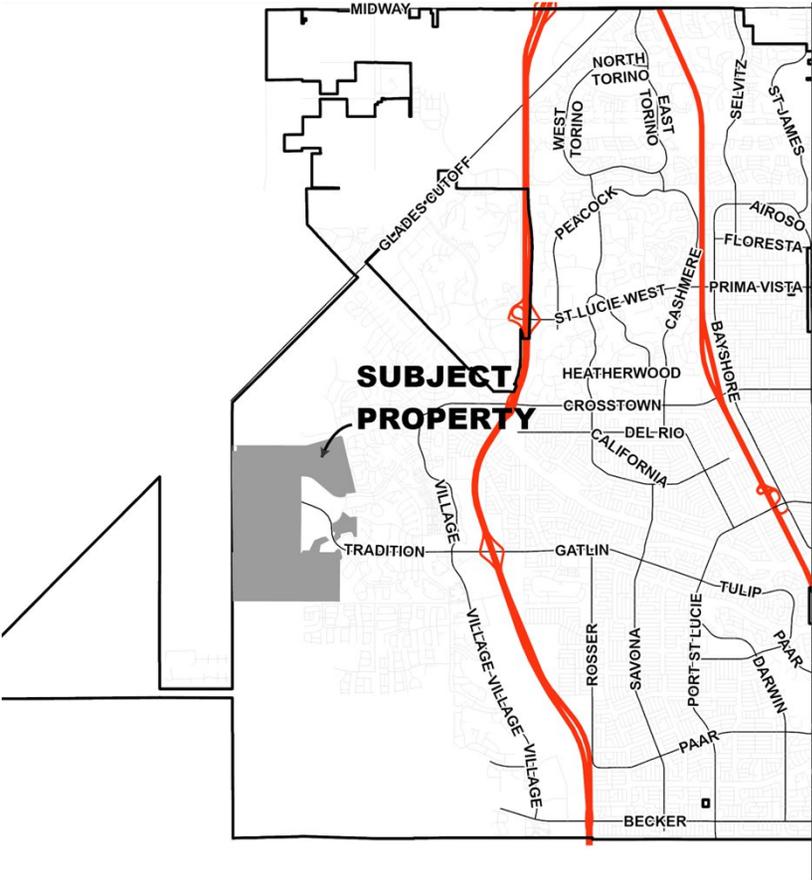


Project Background

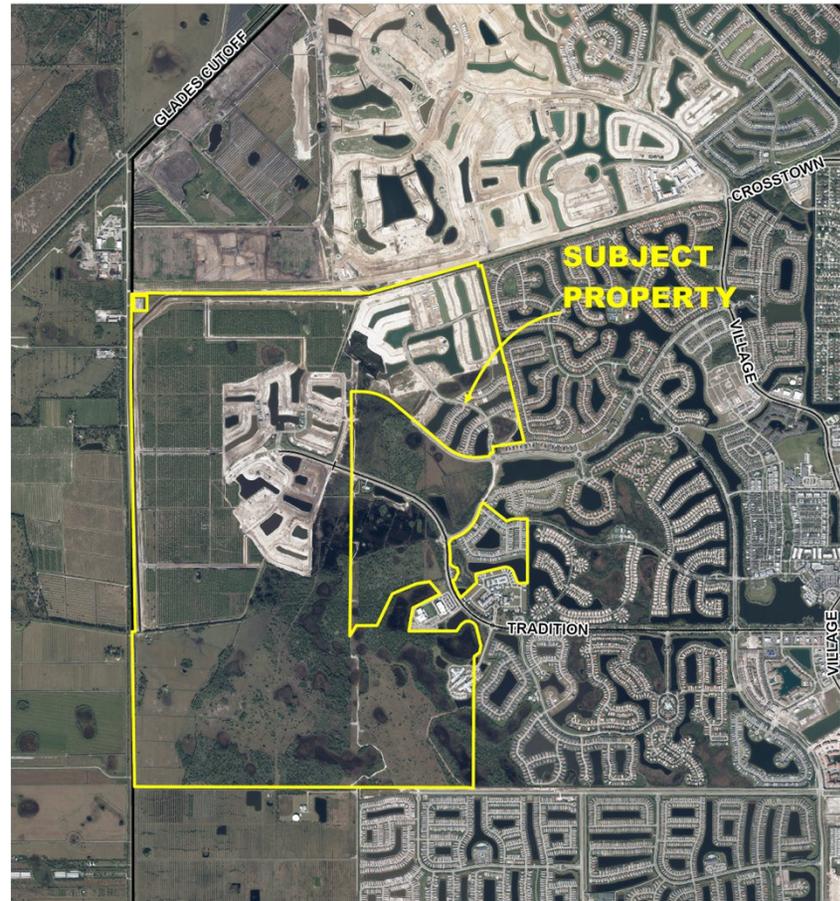
- Western Grove is an approved Development of Regional Impact (DRI) and approximately 1,940 acres in size.
- Development program includes 4,000 residential dwelling units; 200,000 square feet of retail use; and 50,000 square feet of office use.
- The future land use classification for the Southern Grove DRI is New Community Development District (NCD).
- The Western Grove DRI was last amended in 2021 through Resolution 21-R06.
- No other changes are proposed to the development order.
- Except for a new Map H, the Development Order conditions adopted under Resolution 21-R06 remain unchanged and in full force and effect.



Location



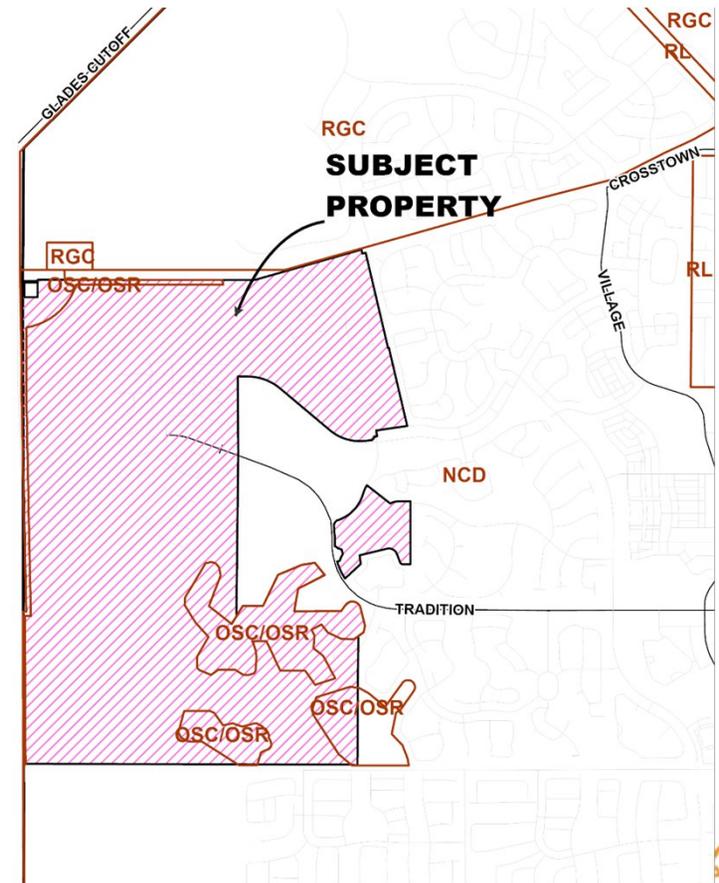
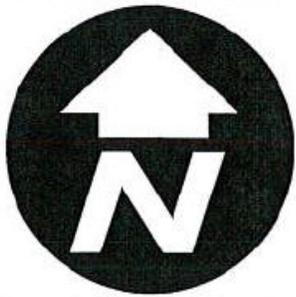
Aerial



CityofPSL.com



Future Land Use



CityofPSL.com



Proposed Amendment

- This application is a proposed amendment to Map H, the master development, of the Western Grove DRI to:
 1. Revise the wetland and conservation areas depicted on Map H to be consistent with the regulatory permits for the project.
 2. Update the locations for the water management tracts depicted on Map H to be consistent with current development plans.
 3. Revise the layout and locations for a 2.9-acre fire station site, a 20-acre K-8 school site, and a 6.3-acre park site shown on Map H.

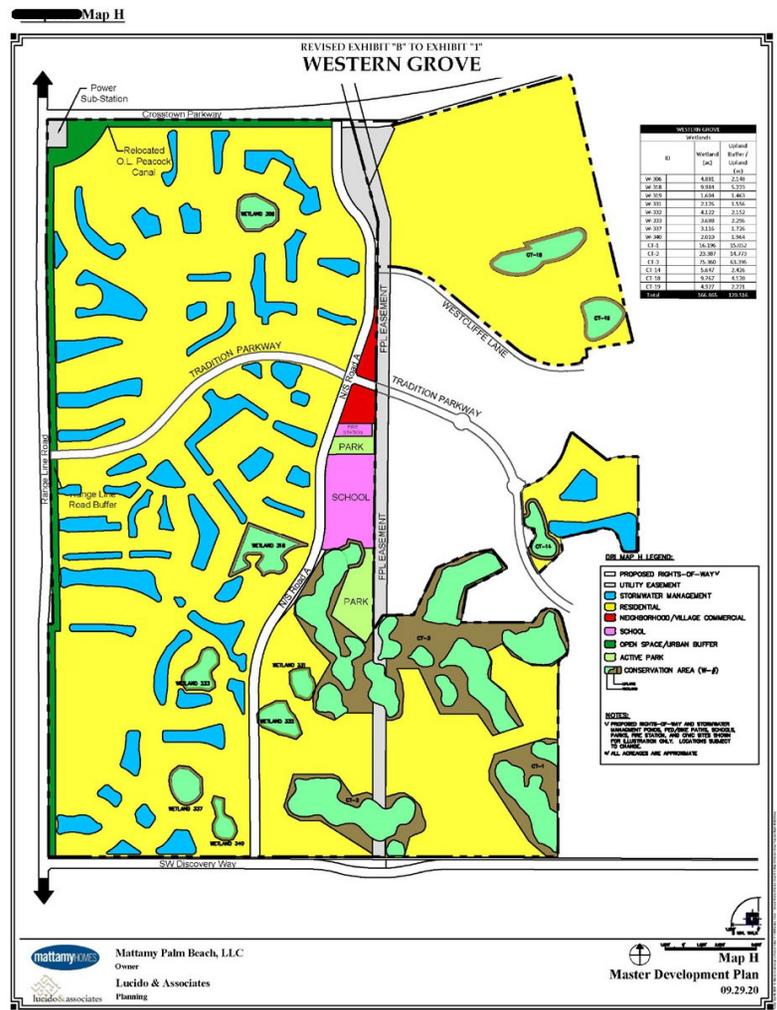


Justification

- The proposed changes to the school and park sites were undertaken in consultation with the St. Lucie County Fire District and the St. Lucie County School District.
- A location analysis was conducted for the Fire District. Based on that analysis, the location the fire station was relocated further south on N/S A for more even distribution to the surrounding future residences and more even distances between fire stations.
- Proposed changes to 20-acre K-8 school site are based on discussions with the school district and the need to buffer the K-8 school site from the existing FPL transmission lines easement to the east.
- School site is now buffered by a 6.3-acre linear park that will be directly adjacent to Tradition Regional Park and provide non-motorized access to the regional park.
- The 6.3 acres is in addition to 50 acres of land the developer has to provide to meet the park and recreation requirements of the Western Grove DRI.

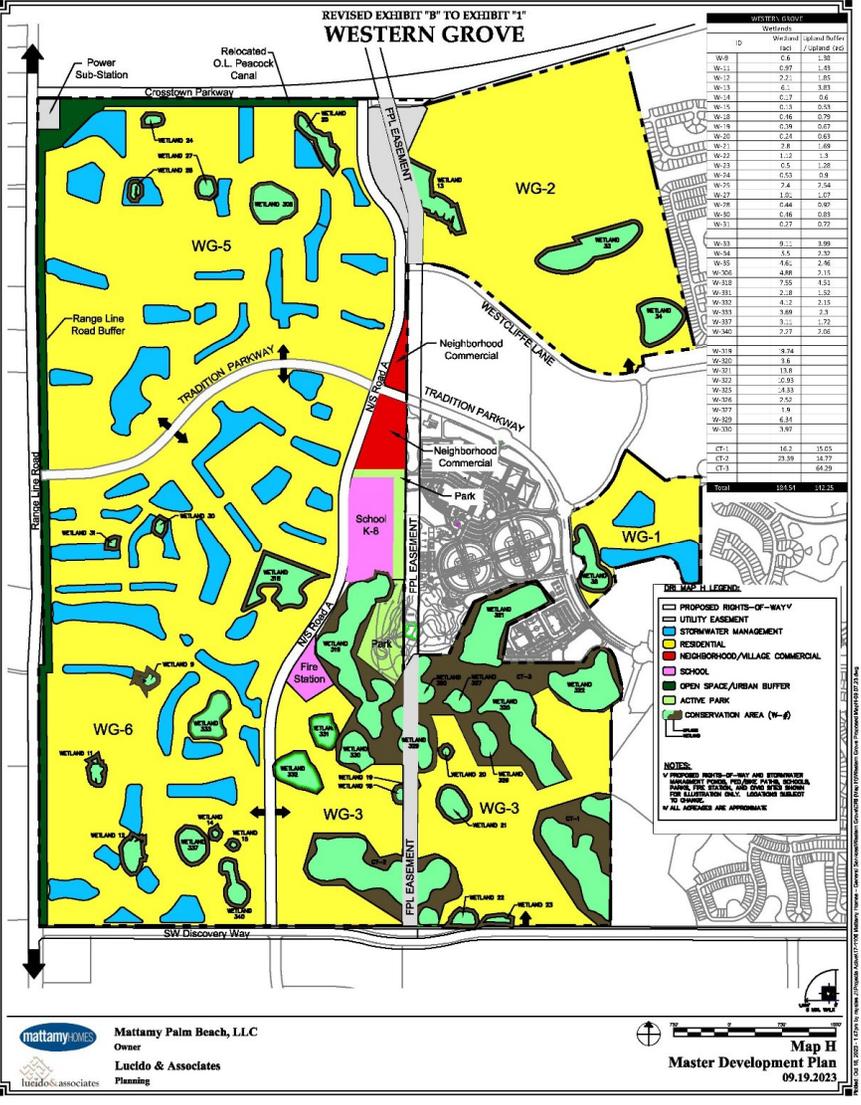


Exhibit 1



Proposed Map H

REVISED EXHIBIT 'B' TO EXHIBIT '1'
WESTERN GROVE



mattamy Mattamy Palm Beach, L.L.C.
 Owner
lucido Lucido & Associates
 Planning

Map H
 Master Development Plan
 09.19.2023

Impacts and Findings

- Section 380.06(7)(a) of the Florida Statutes requires any proposed change to a previously approved DRI to be reviewed by the local government based on the standards and procedures in its adopted local comprehensive plan and adopted local land development regulations.
- Objective 1.2.8 of the Future Land Use Element of establishes the Tradition/Western Grove NCD District.
- Policy 1.2.8.1 identifies the density and intensity of the Tradition/Western Grove NCD District.
- Figure 1-3 of the Future Land Use Element is the conceptual land use plan for both the Tradition and the Western Grove DRIs.
- No changes are proposed to approved entitlements in the Western Grove DRI.
- The proposed changes to the locations for the school and fire station are within a residential sub-district and do not impact Figure 1-3.



Recommendation

The Planning and Zoning Department staff finds the petition to be consistent with the intent and direction of the City's comprehensive plan and recommends approval of the proposed DRI amendment as depicted in Attachment "B" of the staff report.

- Planning and Zoning Board Action Options:
 - Motion to recommend approval to the City Council
 - Motion to recommend denial to the City Council

Please note: 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.



From: [Bridget Kean](#)
To: [Jessica Heinz](#)
Subject: FW: Planning Agenda - Request to Table...
Date: Monday, November 6, 2023 4:24:42 PM
Attachments: [image001.png](#)

Bridget Kean, AICP
Deputy Director
City of Port St. Lucie Planning and Zoning
121 SW Port St Lucie Blvd
Port St. Lucie, FL 34984
772-873-6489
772-418-3987 (cell)

From: Matt Yates <myates@lucidodesign.com>
Sent: Monday, November 6, 2023 4:08 PM
To: Mary Savage-Dunham <mdunham@cityofpsl.com>; Bridget Kean <BKean@cityofpsl.com>
Cc: Karl Albertson <Karl.Albertson@mattamycorp.com>; Steve Garrett <sgarrett@lucidodesign.com>; Antonio Balestrieri <Antonio.Balestrieri@mattamycorp.com>
Subject: Planning Agenda - Request to Table...

Mary/Bridget,

Good afternoon. In preparation for the Planning and Zoning Board meeting tomorrow evening and on behalf of our client, Mattamy Palm Beach LLC, we respectfully request to table Item 8.e. P23-170 Western Grove DRI – 4th Amendment – Map H Amendment to a date uncertain. Please let us know if you need any additional information to support the request. Thank you for your attention to this matter.

Matthew R. Yates, RLA, ASLA
Project Director
Lucido & Associates



701 S.E. Ocean Blvd. Stuart, FL 34994
cel: 772.291.3038
tel: 772.220.2100 x 102
fax: 772.223.0220
web: www.lucidodesign.com
email: myates@lucidodesign.com



Agenda Summary

2023-1036

Agenda Date: 11/7/2023

Agenda Item No.: 8.f

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P23-177 2300 Veterans Highway, LLC. - Rezoning

Location: On the northwest corner of Rivergate Parkway and west of SE Veterans Memorial Parkway.

Legal Description: Rivergate Office Plaza- First Replat- Lot 1.

This is a request to rezone from Planned Unit Development (PUD) zoning district to General Commercial (CG) zoning district.

Submitted By: Bianca Lee, Planning & Zoning Department, Planner II

Executive Summary: The applicant is requesting the rezoning of a 1.46-acre parcel, from Planned Unit Development (PUD) to General Commercial (CG) as permitted by the City's Zoning Code. The existing PUD only allows a bank and the General Commercial (CG) zoning district allows permitted uses as listed per Section 158.124 of the City's Zoning Code.

Presentation Information: A presentation will be given.

Staff Recommendation: Move that the Board recommend approval of the rezoning request.

Alternate Recommendations:

1. Move that the Board recommend denial of the request.

Background: See attached staff report.

Issues/Analysis: See attached staff report.

Special Consideration: N/A

Location of Project: 2300 SE Veterans Memorial Parkway.

Attachments: 1. Staff report, 2. Application, 3. Deed, 4. Agent authorization, 5. Staff presentation



**2300 Veterans Highway, LLC
Rezoning
P23-177**



Project Location Map

SUMMARY

Applicant's Request:	Rezoning from Planned Unit Development (PUD) to General Commercial (CG)
Applicant:	HJA Design Studio - Michael Houston
Property Owner:	2300 Veterans Highway, LLC
Location:	On the northwest corner of Rivergate Parkway and SE Veterans Memorial Parkway.
Address:	2300 SE Veterans Memorial Parkway.
Project Planner:	Bianca Lee, Planner II

Project Description

The applicant is requesting the rezoning of a 1.46-acre parcel, from Planned Unit Development (PUD) to General Commercial (CG). The property is legally described as Rivergate Office Plaza- First Replat- Lot 1. The parcel's address is 2300 SE Veterans Memorial Parkway.

The property has a future land use classification of General Commercial (CG), and a zoning designation of Planned Unit Development (PUD). The existing PUD only allows the use of a bank. The proposed rezoning to the General Commercial (CG) Zoning District is compatible with the property's existing General Commercial (CG) future land use.

Background

The City Council on September 27, 1983, approved the Barnett Bank site plan (P83-043).

The City Council approved the site plan for the parking lot expansion on November 24, 1987 (P87-164).

Public Notice Requirements

Public notice was mailed to owners within 750 feet of the property and the item was included in the ad for the November 7, 2023, Planning & Zoning Board meeting.

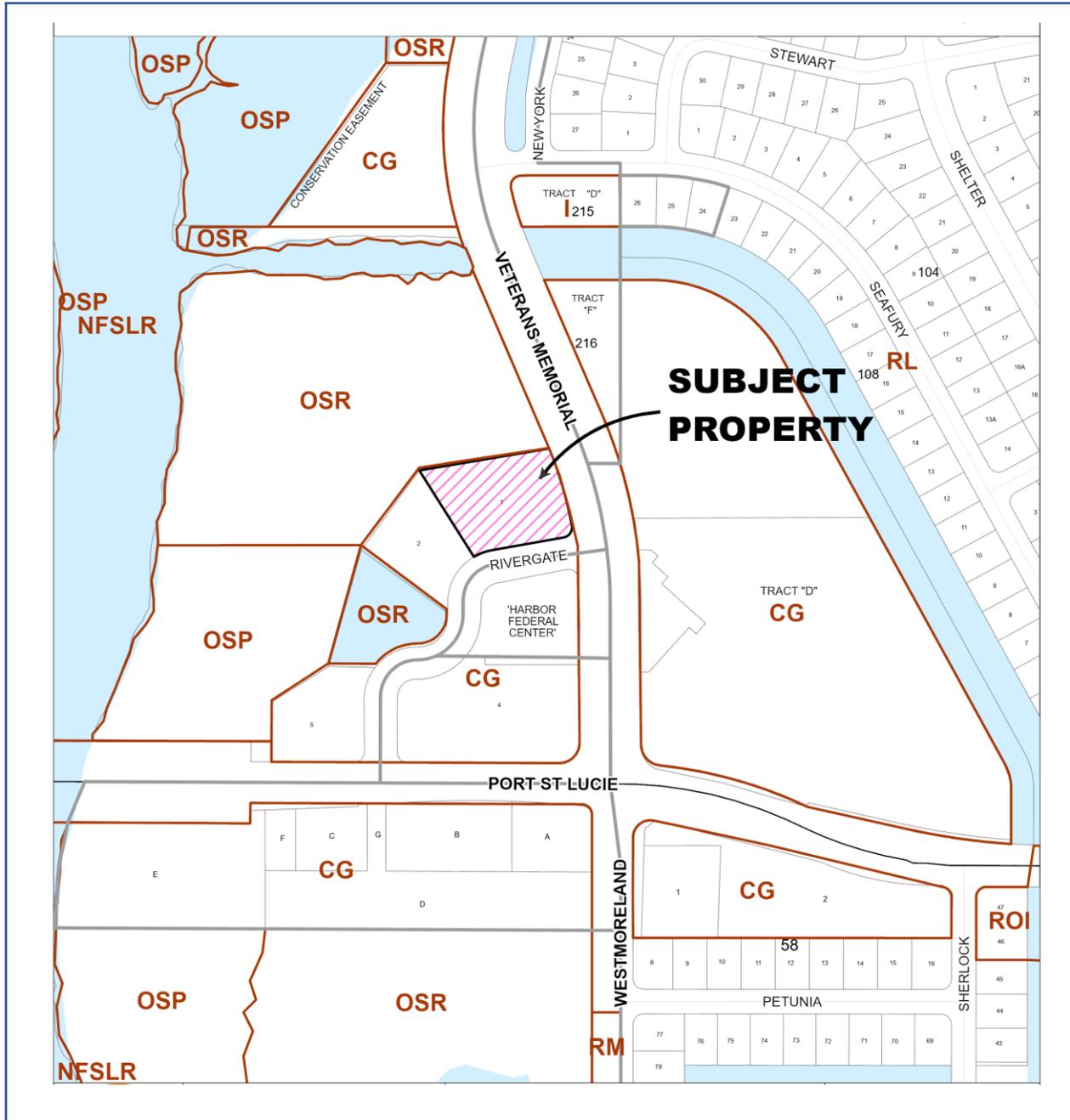
Location and Site Information

Parcel Number:	4410-501-0001-000-6
Property Size:	1.46 acres: 63,576 SF
Legal Description:	Rivergate Office Plaza- First Replat- Lot 1
Future Land Use:	CG- General Commercial
Existing Zoning:	Planned Unit Development
Existing Use:	Vacant bank building
Requested Zoning:	General Commercial
Proposed Use:	A use consistent with the General Commercial Zoning District and Comprehensive Plan.

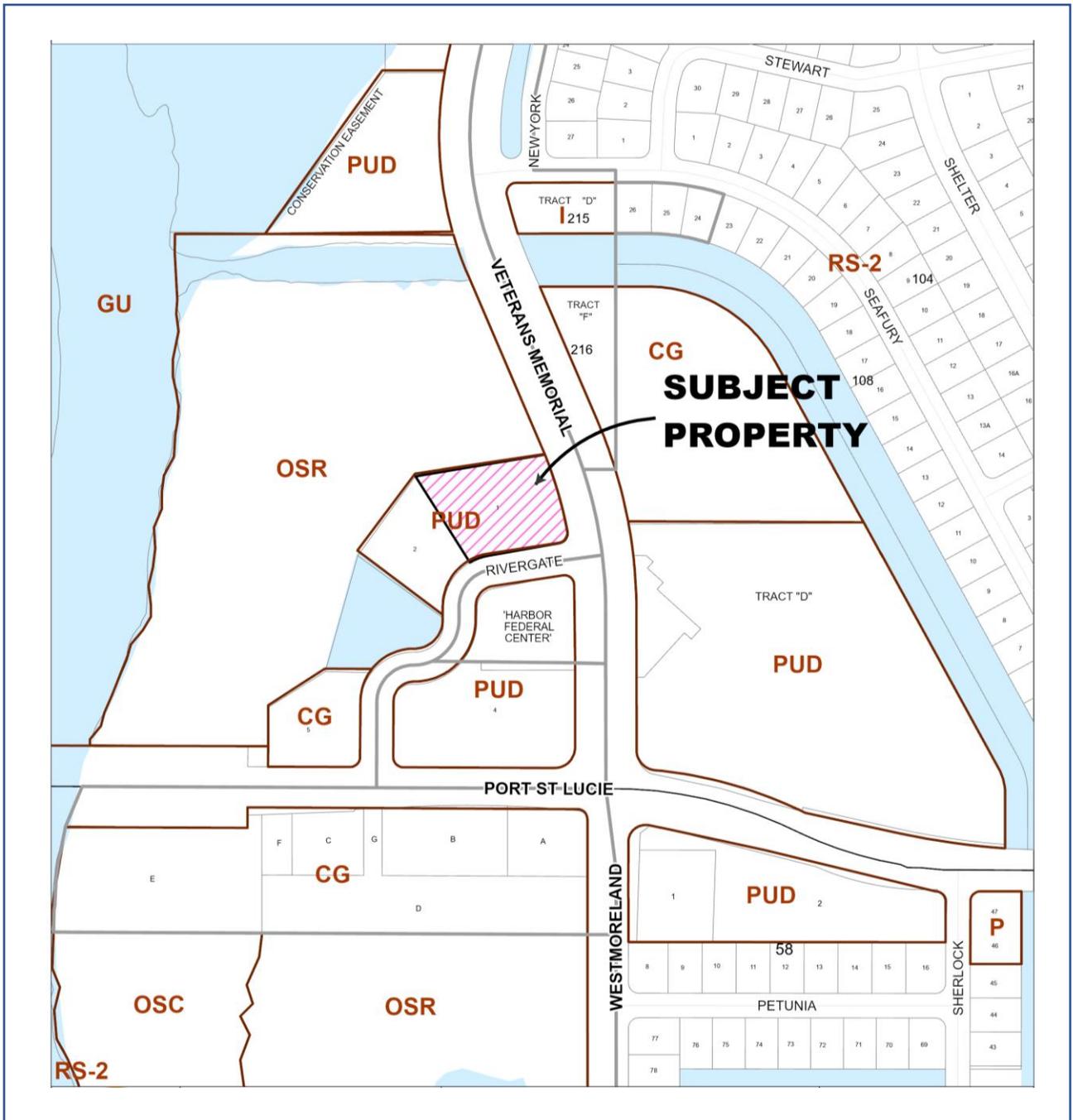
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	OSR	OSR	Park
South	CG	PUD	Bank
East	CG	CG	Retail
West	OSR	OSR	Park

OSR-Open Space-Recreation, CG- General Commercial, & PUD-Planned Unit Development



Future Land Use Map



Zoning Map

IMPACTS AND FINDINGS

COMPREHENSIVE PLAN REVIEW

Land Use Consistency: Proposed zoning of General Commercial is compatible with Policy 1.1.4.13 and future land use classification of General Commercial (CG).

ZONING REVIEW

Justification Statement: The purpose of this request is to rezone the parcel for development which aligns with the proposed use and direction and intent of the General Commercial Zoning District within the City of Port St. Lucie's Comprehensive Plan.

Staff Analysis: The rezoning classification complies with the direction and intent of the City of Port St. Lucie Comprehensive Plan. The General Commercial Zoning District (CG) is compatible with the General Commercial (CG) future land use classification, Policy 1.1.4.13 of the Future Land Use Element.

ENVIRONMENTAL REVIEW

N/A

RELATED PROJECTS

Barnett Bank site plan; approved by the City Council on September 27, 1983 (P83-043).

STAFF RECOMMENDATION

The Planning and Zoning Department staff finds the request to be consistent with the direction and intent of the future land use map and policies of the City's Comprehensive Plan and recommends approval.

Planning and Zoning Board Action Options:

- Motion to recommend approval to the City Council
- Motion to recommend denial to the City Council

Please note: 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.

TYPE	STATUS	BUILDING TYPE	
R	SUBMITTED		
ASSIGNED TO			
Bianca Lee			
ADDRESS			
2300 SE Veterans Memorial Parkway			
SECTION	BLOCK	LOT	
Rivergate	Rivergate	1	
LEGAL DESCRIPTION			
Lot 1, Rivergate Office Plaza, First Replat (ORB 428-716)			
SITE LOCATION			
Northwest corner of SE Veterans Memorial Parkway and Rivergate Parkway			
PARCEL #			
4410-501-0001-000-6			
CURRENT LANDUSE	PROPOSED LANDUSE	CURRENT ZONING	PROPOSED ZONING
CG		PUD	CG
ACREAGE	NON-RESIDENTIAL SQ. FOOTAGE	NO. OF RESIDENTIAL UNITS	
1.46			
NO. OF LOTS OR TRACTS	NO. OF SHEETS IN PLAT		
0	0		
UTILITY PROVIDER			
CITY OF PORT ST. LUCIE			
DESCRIBE REQUEST			
Rezoning of 1.46-acres from PUD (Planned Unit Development) to CG (Commercial General). Property has a future land use designation of CG (Commercial General).			
Primary Contact Email			
ptobin@hjadstudio.com			
AGENT/APPLICANT			
FIRST NAME	LAST NAME		
Michael	Houston		
Business Name			
HJA Design Studio			
ADDRESS			
50 SE Ocean Blvd., Suite 101			
CITY	STATE	ZIP	
Stuart	FL	34994	
EMAIL	PHONE		
mhouston@hjadstudio.com	7726787200		
AUTHORIZED SIGNATORY OF CORPORATION			
FIRST NAME	LAST NAME		
ADDRESS			

CITY **STATE** **ZIP**

EMAIL **PHONE**

PROJECT ARCHITECT/ENGINEER

FIRST NAME **LAST NAME**

Business Name

ADDRESS

CITY **STATE** **ZIP**

EMAIL **PHONE**

PROPERTY OWNER

Business Name

2300 Veterans Highway, LLC

ADDRESS

3500 SW Centre Court

CITY **STATE** **ZIP**

Palm City FL 34990

EMAIL **PHONE**

s_piasecki@att.net (772) 215-9027

FINAL PERMIT INSPECTION REQUIRED BY:

This instrument prepared by and after recording, please return to:
First American Title Insurance
Company – NCS-FL5-339-CHAR
201 S. College Street
Suite 1440
Charlotte, NC 28244
Attn: Debbie Stewart

This space reserved for Recorder's use only.

St. Lucie County Property Tax Account No. 4410-501-0001-000-6

SPECIAL WARRANTY DEED

THIS INDENTURE, made as of the 5th day of October, 2023, by and between **BANK OF AMERICA, NATIONAL ASSOCIATION**, a national banking association, successor by merger to NATIONSBANK, NATIONAL ASSOCIATION, successor by merger to BARNETT BANK, NATIONAL ASSOCIATION, successor by merger to BARNETT BANK OF THE TREASURE COAST, successor by merger to BARNETT BANK OF ST. LUCIE COUNTY (hereinafter referred to as "Grantor") in favor **2300 VETERANS HIGHWAY LLC**, a Florida limited liability company, whose addresses is 3500 SW Centre Court, Palm City, FL 34990 (hereinafter referred to as "Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and their respective heirs, legal representatives and assigns of individuals, and the successors and assigns of trustees, partnerships, limited liability companies and corporations).

WITNESSETH:

THAT Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid to Grantor, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, transferred, conveyed and confirmed and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all that certain tract or parcel of land lying and being in St. Lucie County, Florida, being more particularly described on **EXHIBIT A** attached hereto and incorporated herein by this reference (hereinafter referred to as the "Property").

TOGETHER with all of the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances pertaining thereto, including all of Grantor's right, title and interest, if any (but without warranty whether statutory, express or implied), in and to any land situated in any adjacent strips, street, road, highway or other right of way, public or private, open or proposed, including rights of ingress and egress, all other easements, privileges and hereditaments, whether or not of record, minerals, oil, gas and other same in fee simple forever.

AND Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property, and hereby warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever arising by, through or under Grantor but not otherwise, subject only to those matters described on **EXHIBIT B** attached hereto.

A copy of Assistant Secretary's Certificate of Bank of America, National Association, is attached hereto as **EXHIBIT C**.

Grantor warrants and represents that all ad valorem taxes and assessments for the Property for the year 2022 and all prior years have been fully paid.

SIGNATURE FOLLOWS ON NEXT PAGE

IN WITNESS WHEREOF, Grantor has caused this deed to be signed, sealed and delivered, this 4th day of October, 2023.

GRANTOR:

BANK OF AMERICA, NATIONAL ASSOCIATION, a national banking association

[Signature]
Witness
Print Name: Joan Arria

By: [Signature]
Name: Kathleen M. Luongo
Title: Vice President

[Signature]
Witness
Print Name: Marianne P. Isgur

STATE OF MASSACHUSETTS

COUNTY OF MIDDLESEX

The foregoing instrument was acknowledged before me this 4th day of October, 2023 by Kathleen M. Luongo, as Vice President of Bank of America, National Association, a national banking association, who is personally known to me or who has produced personally known as identification and who did (did not) take an oath.

[Signature]
Notary Public

Joan Arria
Printed Name



EXHIBIT A

LEGAL DESCRIPTION

Lot 1, A First Replat of Rivergate Office Plaza, according to the plat thereof, as recorded in Plat Book 23, Page 38, of the Official Records of St. Lucie County, Florida.

Address: 2300 SE Veterans Memorial Pkwy, Port St. Lucie, FL 34952
St. Lucie County Parcel ID No. 4410-501-0001-000-6; Account No. 118081; Map ID No. 44/10N

EXHIBIT B

PERMITTED EXCEPTIONS

1. Rights of parties in possession, if any.
2. Governmental rights of police power or eminent domain unless notice of the exercise of such rights appears in the public records as of the date hereof; and the consequences of any law, ordinance or governmental regulation including, but not limited to, building and zoning ordinances.
3. Defects, liens, encumbrances, adverse claims or other matters (a) not known to the Grantor and not shown by the public records but known to the Grantee as of the date hereof and not disclosed in writing by the Grantee to the Grantor prior to the date hereof; (b) resulting in no loss or damage to the Grantee; or (c) attaching or created subsequent to the date hereof.
4. Visible and apparent easements and all underground easements, the existence of which may arise by unrecorded grant or by use.
5. Any and all unrecorded leases, if any, and rights of parties therein.
6. Taxes and assessments for the year of closing and subsequent years.
7. All judgments, liens (excluding construction liens), assessments, code enforcement liens, encumbrances, declarations, mineral reservations, covenants, restrictions, reservations, easements, agreements and any other matters as shown on the public records.
8. Any state of facts which an accurate survey or inspection of the Property would reveal, including inland/tidal wetlands designation if applicable.
9. Any liens for municipal betterments assessed after the date of the within Deed and/or orders for which assessments may be made after the date of the within Deed.
10. Matters shown on the Plat of Rivergate Office Plaza, recorded in Plat Book 23, Page 16; as affected by Certificate of Recording recorded in Official Records Book 384, Page 2000 of St. Lucie County, Florida.
11. Matters shown on the Plat of A First Replat of Rivergate Office Plaza, recorded in Plat Book 23, Page 38; as affected by Certificate of Recording recorded in Official Records Book 427, Page 488 of St. Lucie County, Florida.
12. Easements contained and described in Book 417, Page 2184 of Official Records of St. Lucie County, Florida, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
13. Easement granted to Florida Power & Light Company by instrument recorded in Official Records Book 431, Page 2717 of St. Lucie County, Florida.

14. The terms, provisions, and conditions contained in that certain State of Florida Department of Transportation Right of Way Resolution for State Highway System Projects, recorded in Official Records Book 734, Page 463 of St. Lucie County, Florida.
15. The terms, provisions, and conditions contained in that certain Resolution No. 93-84 by The Board of County Commissioners of St. Lucie County, Florida, recorded in Official Records Book 834, Page 607 of St. Lucie County, Florida.
16. Easement, granted from The City of Port St. Lucie to The State of Florida Departmental of Environmental Protection, recorded in Official Records Book 1626, Page 1642 of St. Lucie County, Florida.
17. Without limiting the foregoing, all covenants, conditions, restrictions and other matters of record recorded or filed in the applicable records of St. Lucie County, Florida, with respect to the real property conveyed hereby.

EXHIBIT C

ASSISTANT SECRETARY'S CERTIFICATE
OF
BANK OF AMERICA, NATIONAL ASSOCIATION

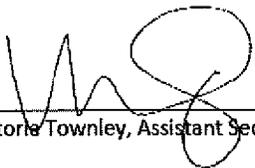
The undersigned, Victoria Townley, an Assistant Secretary of Bank of America, National Association (the "Association"), a national banking association organized and existing under the laws of the United States of America and having its principal place of business in the City of Charlotte, County of Mecklenburg, State of North Carolina, does hereby certify that:

1. Effective November 28, 1983, Port St. Lucie Bank changed its name to the **Barnett Bank of St. Lucie County**.
2. Effective June 22, 1990, **Barnett Bank of St. Lucie County**, Port St. Lucie, Florida, was merged into and under the charter of **Barnett Bank of Indian River County**, Vero Beach, Florida, with the resulting title of **Barnett Bank of the Treasure Coast**, and moved to Port St. Lucie, Florida.
3. Effective June 29, 1996, **Barnett Bank of the Treasure Coast**, Port St. Lucie, Florida, was merged into and under the charter of **Barnett Bank of Jacksonville, National Association**, Jacksonville, Florida, with the resulting bank title of **Barnett Bank, National Association**, Jacksonville, Florida, Charter Number 9049.
4. Effective October 8, 1998, **Barnett Bank, National Association**, Jacksonville, Florida, Charter Number 9049, was merged into and under the charter and title of **NationsBank, National Association**, Charlotte, North Carolina, Charter Number 14448.
5. Effective July 5, 1999, the title of **NationsBank, National Association**, Charter Number 14448, was changed to **Bank of America, National Association**.
6. Effective July 23, 1999, **Bank of America, National Association**, Charlotte, North Carolina, Charter Number 14448, was merged into and under the charter of **Bank of America National Trust and Savings Association**, San Francisco, California, Charter Number 13044, with the resulting bank title of **Bank of America, National Association**, Charlotte, North Carolina, Charter Number 13044.

AS A CERTIFICATION TO THE MATTERS SET FORTH HEREIN, I have hereupon set my hand and affixed the seal of said Association this 15th day of December, 2021.

(SEAL)





 Victoria Townley, Assistant Secretary



10/31/2023

City of Port St. Lucie
Planning & Zoning Department
121 SW Port St. Lucie Blvd.
Port St. Lucie, FL 34984

2300 Veterans Highway, LLC
3500 SW Centre Court
Palm City, FL 34990

RE: Medical Office at 2300 SE Veterans Memorial Parkway - Rezoning and Site Plan Applications

Please be advised that Marc I. Levine of 2300 Veterans Highway, LLC hereby authorizes HJA Design Studio, LLC to act as its agent relative to the above referenced project and approval process, and to submit any applications or related materials with respect thereto.

[Signature]
Signature
Mgr
Title

Marc Levine
Print Name
10/31/23
Date

To be filled out by Notary:

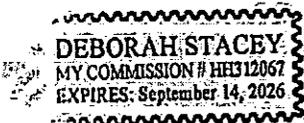
The foregoing instrument was acknowledged before me this 31st day of October

2023 by Marc Levine as _____ of
(Name) (Title)

2300 Veterans Highway, LLC a Florida Limited Liability Company, on
(Company Name) (State)

behalf of the company who is personally known to me or has produced proper identification.

(Notary Seal or Stamp)



Signature [Signature]

Notary Public - State of Florida

Print Name Deborah J Stacey

My Commission Expires 9-14-26

2300 Veterans Highway LLC. REZONING P23-177

Planning & Zoning Board
November 7, 2023
Bianca Lee
Planner II

CityofPSL.com



Request:

The applicant is requesting approval of the rezoning of approximately 1.46 acres from Planned Unit Development (PUD) to General Commercial (CG).

Proposed Project: A use consistent with the General Commercial Zoning District



General Information:

Owners – 2300 Veterans Highway LLC.

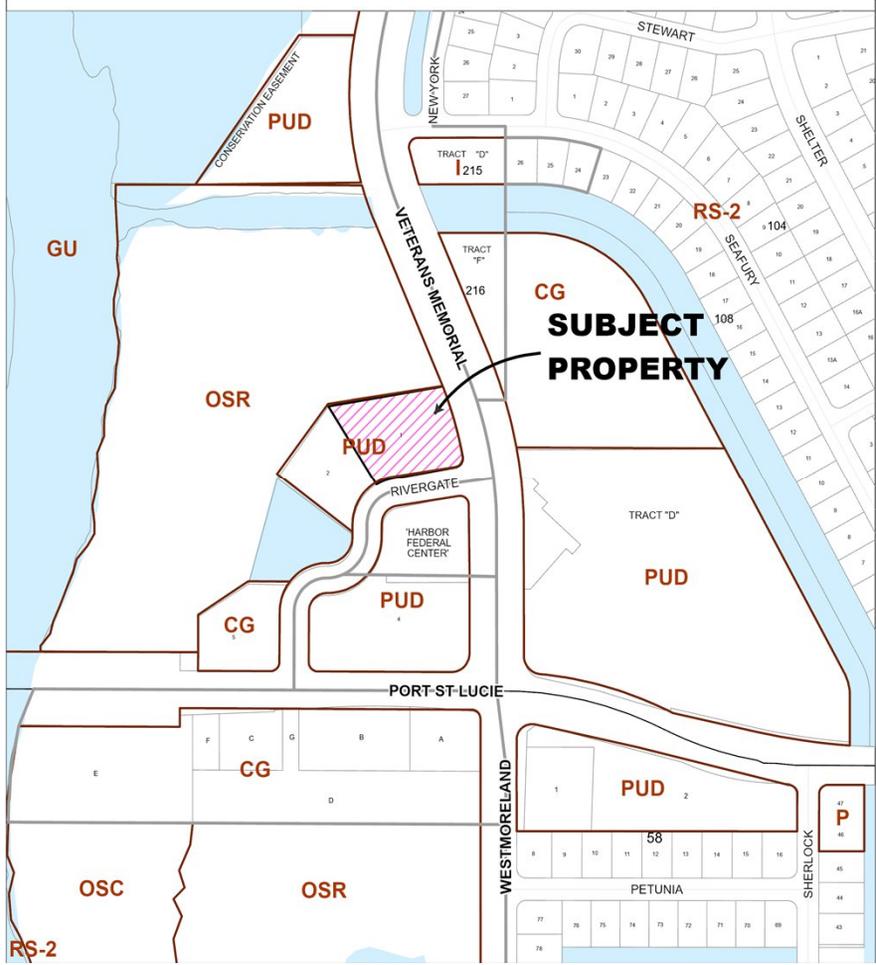
Applicant – HJA Design Studio- Michael Houston

Location – Northwest corner of Rivergate Parkway and west of SE Veterans Memorial Pkwy.

Existing Use – Bank (not in operation)

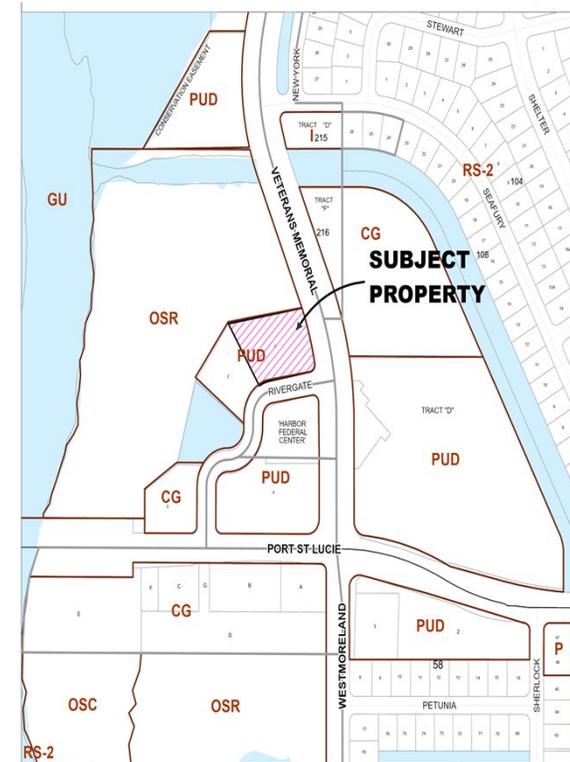


Aerial & Zoning



Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	Open Space-Recreation (OSR)	Open Space-Recreation (OSR)	Park
South	General Commercial (CG)	Planned Unit Development (PUD)	Bank
East	General Commercial (CG)	General Commercial (CG)	Retail
West	Open Space-Recreation (OSR)	Open Space-Recreation (OSR)	Park



Justification

- The proposed rezoning is consistent with Policy 1.1.4.13 of the Future Land Use Element of the Comprehensive Plan which establishes the compatible future land use and zoning categories.
- The General Commercial (CG) Zoning District is listed as a compatible zoning district under the General Commercial (CG) future land use classification.

Policy 1.1.4.13 Future Land Use Element

<u>Future Land Use Classification</u>	<u>Compatible Zoning District</u>
General Commercial (CG)	CN (Neighborhood Commercial), CG (General Commercial), P (Professional), GU (General Use), & LMD (Limited Mixed Use)



Planning & Zoning Staff Recommendation

The Planning & Zoning Department staff recommends approval of the rezoning request.





Agenda Summary

2023-1013

Agenda Date: 11/7/2023

Agenda Item No.: 8.g

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P23-178 Ceppetelli - Rezoning

Location: Southeast corner of SW Port St. Lucie Boulevard and SW McCall Road.

Legal Description: Port St. Lucie Section 21, Block 2084, Lots 1, 2 and 3

This is a request to rezone 0.76 acres of land from Institutional (I) to Multi-Family Residential (RM-5) Zoning District.

Submitted By: Marissa Da Breo-Latchman, Environmental Planner II, Planning and Zoning

Executive Summary: The applicant is requesting approval for the rezoning of a 0.76-acre parcel from Institutional (I) to Multi-Family Residential (RM-5). The subject property is located at the southeast corner of SW Port St. Lucie Blvd and SW McCall Rd, between SW Darwin and SW Paar Dr.

Presentation Information: Staff will provide a presentation.

Staff Recommendation: Move that the Board recommend approval of the request to rezone the 0.76-acres parcel from Institutional (I) to Multi-family Residential (RM-5).

Alternate Recommendation:

1. Move that the Board recommend denial of the rezoning request to City Council.

Background: See Staff Report.

Issues/Analysis: See Staff Report.

Special Consideration: N/A

Location of Project: 3911 SW Port St. Lucie Blvd

Attachments: Staff Report, Application, Deed, Staff Presentation.



3911 SW PORT ST LUCIE BLVD
Rezoning
P23-178



Project Location Map

SUMMARY

Applicant's Request:	A request to rezone 0.76 acres of land currently zoned Institutional (I) to Multi-Family Residential (RM-5) zoning district.
Applicant:	Kirsten Ceppetelli

Property Owner:	Kirsten Ceppetelli
Location:	Southeast Corner of SW Port St. Lucie Blvd & SW McCall Rd
Address:	3911 SW Port St. Lucie Blvd
Project Planner:	Marissa Da Breo-Latchman, Environmental Planner II

Project Description

The applicant is requesting approval for the rezoning of a 0.76-acre parcel from Institutional (I) to Multi-Family Residential (RM-5). The subject property is located at the southeast corner of SW Port St. Lucie Blvd and SW McCall Rd, between SW Darwin and SW Paar Dr. The parcel has an assigned address of 3911 SW Port St. Lucie Blvd. The property is located within Conversion Area 1 and has the Future Land Use designation of Medium Density Residential (RM). In 2021, the City Council approved an amendment to the Comprehensive Plan that revised Policy 1.1.4.13 to remove the Institutional Zoning District as a compatible zoning designation with the RM land use classification (P21-047). As a result, the subject property’s land use and zoning are not currently compatible. The applicant is applying to rezone the property to the Multi-family Residential (RM-5) Zoning designation which is compatible with the RM Future Land Use.

Previous Actions and Prior Reviews

In 2017, an application was made to rezone the property from Single-Family Residential (RS-2) to Institutional (I) (P17-193). The application was approved via Ordinance 17-83. The property was never developed.

Public Notice Requirements

Notice of the rezoning was mailed to property owners within a maximum of 750 feet of the subject property on October 27, 2023.

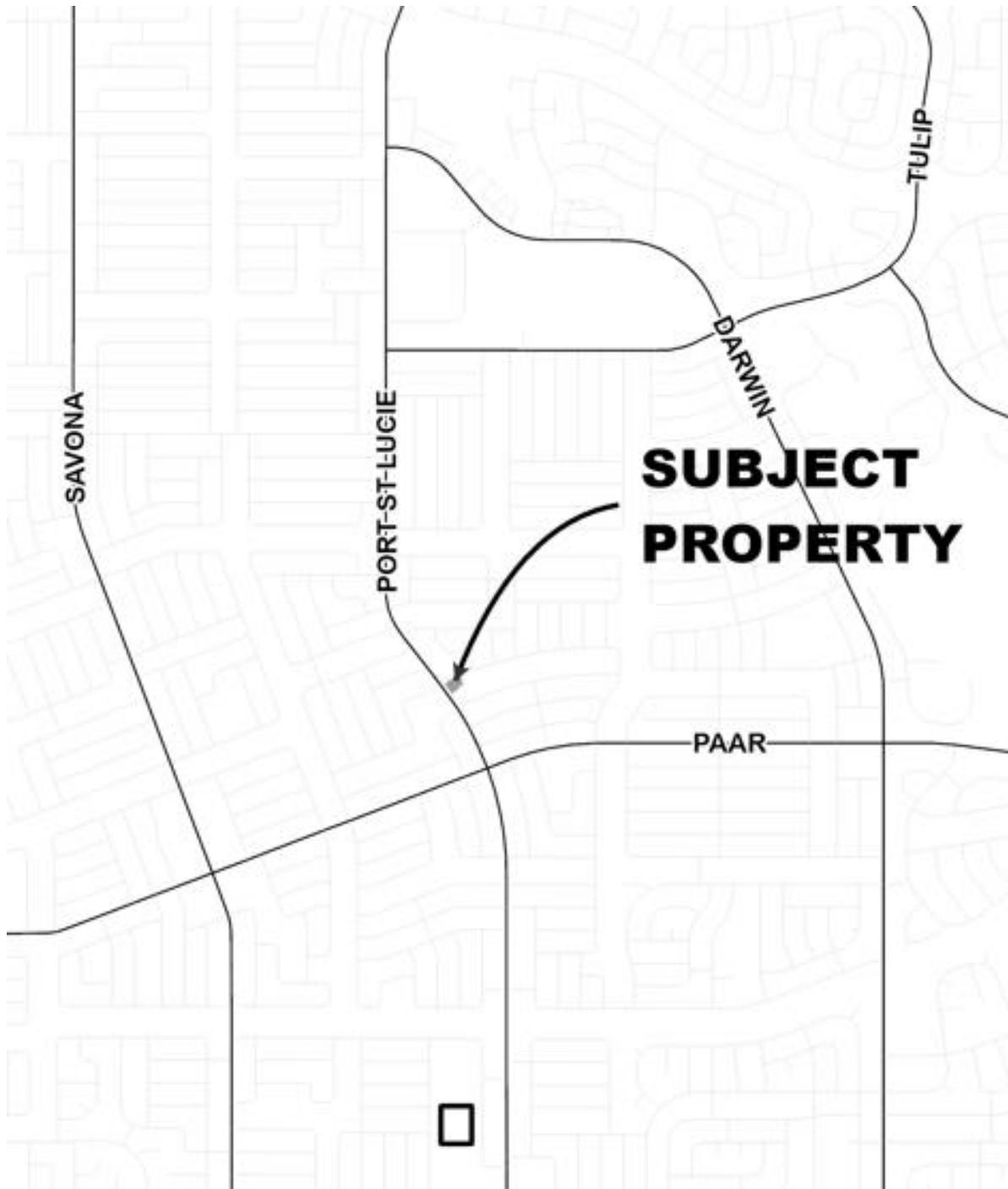
Location and Site Information

Parcel Number:	3420-600-0828-000-1
Property Size:	0.76 acres
Legal Description:	Port St. Lucie Section 21, Block 2084, Lots 1, 2 and 3
Existing Future Land Use:	RM (Medium Density Residential)
Existing Zoning:	Institutional (I)
Existing Use:	Vacant Land
Requested Zoning:	Multi-Family Residential (RM-5)
Proposed Use:	Undisclosed

Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	RM & RL	RS-2	Single family residential & vacant lot
South	RM	RS-2	Drainage canal; Single family residential (vacant and built)
East	RL	RS-2	Single family residential
West	I & ROI	RS-2	St. Lucie County Fire Station 16, Vacant land

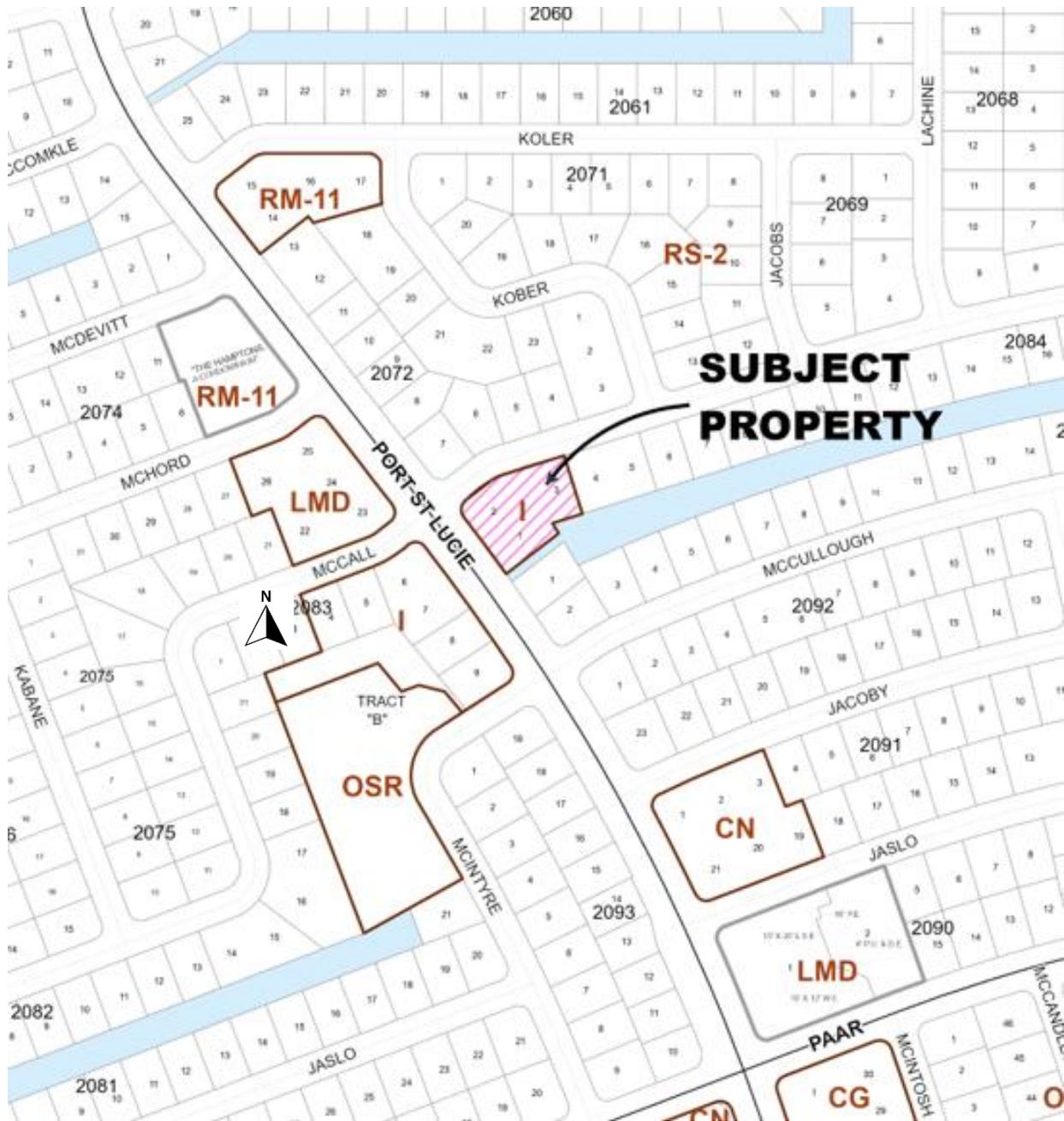
RM – Medium Density Residential, RL-Low Density Residential, I-Institutional, RS-2-Single Family Residential



Location Map



Land Use Map



Zoning Map

IMPACTS AND FINDINGS

COMPREHENSIVE PLAN REVIEW

Land Use Consistency: The proposed rezoning is consistent with Policy 1.1.4.13 of the Future Land Use Element. Policy 1.1.4.13 establishes the compatible future land use and zoning categories. The Multiple-Family Residential (RM-5) zoning district is listed as a compatible zoning district under the Medium Density Residential (RM) future land use classification as shown in the following table:

FUTURE LAND USE CLASSIFICATION	COMPATIBLE ZONING DISTRICT(S)
RM (Medium Density Residential)	RM-5 or Residential PUD (Planned Unit Development) between 5-11 units per acre)

Applicant’s Justification Statement: The applicant did not disclose a proposed use. The following uses are permitted in the RM-5 zoning District:

- Multiple-family dwellings;
- Park or playground, or other public recreation;
- Single-family dwelling;
- Townhouse dwelling, as part of a planned complex;
- Community residential home
- Family day care home.

Staff Analysis: The rezoning complies with the direction and intent of the City of Port St. Lucie Comprehensive Plan. The Multiple-Family Residential (RM-5) Zoning District is compatible with the Medium Density Residential (RM) future land use classification per Policy 1.1.4.13 of the Future Land Use Element of the Comprehensive Plan.

Additionally, the property is in Conversion Area 1. The proposed rezoning is consistent with the applicable regulations for the conversion area and advances the objective of the Comprehensive Plan to provide more intensive commercial and multi-family residential uses along major throughfares such as Port St. Lucie Blvd and allow for a transition to less intensive residential uses.

Compliance with Conversion Area Requirements

Planning Area location per Conversion Manual	Area 1	
Is all property within planning area?	Yes	
Type of Conversion Area	RM (Medium Density Residential)	
Proposed rezoning	Multiple-family Residential (RM-5)	
Will rezoning result in isolation of lots?	No	
Has Unity of Title been submitted?	A Unity of Title was recorded with the previous rezoning. (P17-193)	
	Required	Proposed
Minimum Frontage	160'	+/- 224'
Minimum Depth	Entire conversion area perpendicular to the street.	Entire conversion area perpendicular to the street.
Landscape Buffer Wall	A 6 ft high architectural wall is required along the eastern and southern property lines.	

RELATED PROJECTS

P17-193 Rezoning from Single-Family Residential (RS-2) to Institutional (I) approved via Ordinance 17-83 on December 11, 2017.

STAFF RECOMMENDATION

The Planning and Zoning Department staff finds the request to be consistent with the direction and intent of the future land use map and policies of the City's Comprehensive Plan and recommends approval.

Planning and Zoning Board Action Options:

- Motion to recommend approval to the City Council
- Motion to recommend denial to the City Council

Please note: 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.

REZONING APPLICATION

CITY OF PORT ST. LUCIE
Planning & Zoning Department
121 SW Port St. Lucie Boulevard
Port St. Lucie, Florida 34984.
(772) 871-5213

FOR OFFICE USE ONLY

Planning Dept. _____
Fee (Nonrefundable)\$ _____
Receipt # _____

Refer to "Fee Schedule" for application fee. Make checks payable to the "City of Port St. Lucie". Fee is nonrefundable unless application is withdrawn prior to the Planning and Zoning Board Meeting. **All** items on this application should be addressed, otherwise it cannot be processed. Attach proof of ownership: two copies of recorded deed. If the application includes more than one (1) lot, our Legal Department will contact you regarding execution of the required Unity of Title. Please type or print clearly in **BLACK** ink.

PRIMARY CONTACT EMAIL ADDRESS: KCepp18@gmail.com

PROPERTY OWNER:

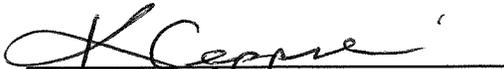
Name: Kirsten Ceppetelli
Address: 5812 NW Burri Ct. Port St. Lucie FL
Telephone No.: 7726262154 Email same

AGENT OF OWNER (if any)

Name: _____
Address: _____
Telephone No.: _____ Email _____

PROPERTY INFORMATION

Legal Description: 3911 SW Port St. Lucie Blvd
(Include Plat Book and Page)
Parcel I.D. Number: Sec 21 BLK 2084 lots 1, 2, 3
Current Zoning: Institutional
Proposed Zoning: RM-5
Future Land Use Designation: _____ Acreage of Property: .76
Reason for Rezoning Request: Institutional zoning no longer available/buildable for the city


*Signature of Owner

Kirsten Ceppetelli 8/31/23
Hand Print Name Date

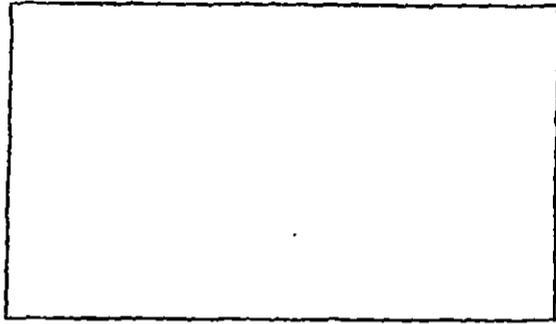
***If signature is not that of the owner, a letter of authorization from the owner is needed.**

NOTE: Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted.

02/26/20

Document prepared by:

Return to after Recording:



* Above space reserved for Recording

(If required by your jurisdiction, list above the name & address of: 1) where to return this form; 2) preparer; 3) party requesting recording.)

Quitclaim Deed

Assessor's Property Tax Parcel/Account Number(s): 3420-600-0828-000-1

THIS QUITCLAIM DEED, executed this 8th day of November, 2021,
by first party, Grantor, Kirsten S. Ornel

, whose
mailing address is 5812 NW Burri Court, Port St. Lucie, FL 34986, to
second party, Grantee, Kirsten Sarne Leppe telli

whose mailing address is 5812 NW Burri Court, Port St. Lucie, FL 34986

WITNESSETH that the said first party, for good consideration and for the sum of _____

Dollars (\$) paid by the said second party, the receipt whereof is hereby
acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all
the right, title, interest and claim, which the said first party has in and to the following described
parcel of land, and improvements and appurtenances thereto in the County of St. Lucie,

State of Florida to wit:

Lot 1, 2, 3, Block 2084 Port Saint Lucie Section
Twenty one

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first written above. Signed, sealed and delivered in the presence of:

Donna A. Mallon
Signature of Witness
Donna A. Mallon
Print Name of Witness

Simonetta Pihell
Signature of Witness
Simonetta Pihell
Print Name of Witness

Kirsten Cappelletti
Signature of Grantor
Kirsten Cappelletti
Print Name of Grantor

Signature of Grantor

Print Name of Grantor

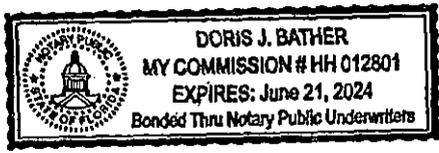
State of Florida
County of St. Lucie

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 8th day of November 2021 by (name) Kirsten Same Cappelletti, who is personally known by me, or has produced _____ as identification, and who did take an oath.

WITNESS my hand and official seal.

(Seal)

Doris J. Bather
Signature of Notary
Doris J. Bather
Print Name of Notary



Kirsten Ceppetelli
Rezoning Application
P23-178

Planning and Zoning Board
November 7, 2023
Marissa Da Breo-Latchman
Environmental Planner II

CityofPSL.com



Request Summary

Applicant / Property Owner: Kirsten Ceppetelli

Agent: Kirsten Ceppetelli

Address: 3911 SW Port St. Lucie Blvd

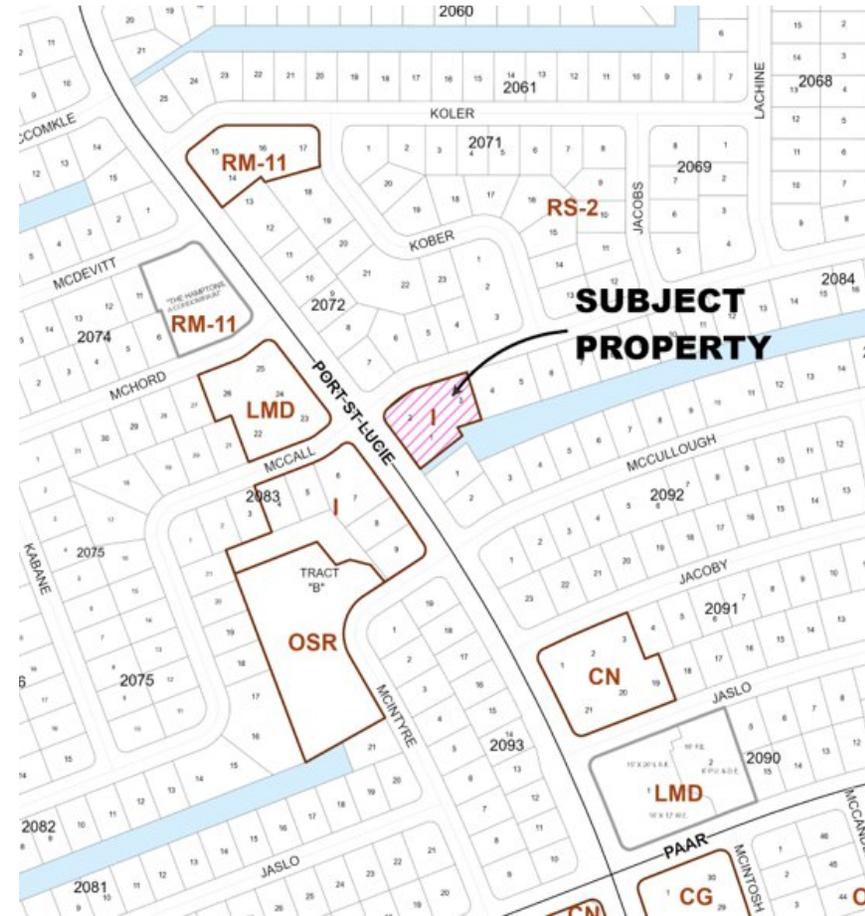
Existing Use: Vacant land

Request: The applicant is requesting a rezoning from Institutional (I) to Multiple-Family Residential (RM-5) for a 0.76-acre parcel.



Surrounding Areas

Direction	Future Land Use	Zoning	Existing Use
North	RM & RL	RS-2	Single family residential & vacant lot
South	RM	RS-2	Drainage canal; Single family residential (vacant and built)
East	RL	RS-2	Single family residential
West	I & ROI	RS-2	St. Lucie County Fire Station 16, Vacant land



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Future Land Use-Zoning Compatibility

FUTURE LAND USE CLASSIFICATION	COMPATIBLE ZONING DISTRICT(S)
RM (Medium Density Residential)	<u>RM-5</u> or Residential PUD (Planned Unit Development) between 5-11 units per acre)

- ❖ Institutional (I) zoning district is not compatible with the Medium Density Residential (RM) Future Land Use hence the need for the rezoning.

Justification

- The proposed rezoning is consistent with Policy 1.1.4.13 of the Future Land Use Element of the Comprehensive Plan which establishes the compatible future land use and zoning categories.
- The proposed (RM-5) Multi-Family Residential Zoning District is listed as a compatible zoning district under the RM (Medium Density Residential) future land use classification.



Planning and Zoning Staff Recommendation

- Planning and Zoning Department staff recommends approval of the rezoning request.

