



**Apollo 22 LLC – Set'em Up! Volleyball
 Special Exception Use
 P24-098**



Project Location Map

SUMMARY

Applicant's Request:	The request is for approval of a Special Exception Use (SEU) to allow an 8,500 square foot enclosed assembly in the Warehouse Industrial (WI) Zoning District, per Section 158.135(C)(5) of the Zoning Code.
Applicant:	Patricia Sandoval, Set'em Up! Volleyball
Property Owner:	Apollo 22, LLC
Location:	1673 SE South Niemeyer Circle
Project Planner:	Francis Forman, Planner II

Project Description

The City of Port St. Lucie has received a request from Patricia Sandoval, applicant with Set'em Up! Volleyball, for a special exception use to allow an enclosed assembly area exceeding 3,000 square feet (8,500 square feet) in the Warehouse Industrial (WI) Zoning District per Section 158.135(C)(5) of the Zoning Code. The 2.79-acre property is located on the northwest corner of SE South Niemeyer Circle and SE Industrial Boulevard, south of SE Village Green Drive, and east of US Highway 1. The property's address is 1673 SE South Niemeyer Circle, and the legal description is Port St. Lucie Industrial Park Unit 1, Block 7, Lots 13 and 14.

The proposed enclosed assembly use is a recreational volleyball facility that will be open to all ages with a limited number of athletes at one time. The proposed use will occupy an existing warehouse type facility and will not require any site plan amendment since no exterior or site work will be needed. The recreational use will meet the parking requirements and have more parking than is required by code to handle any overflow of parking that may occur.

Public Notice Requirements

Notice of this request for a Special Exception Use was mailed on July 25, 2024, to owners of property within a 750-foot radius of the subject property.

Location and Site Information

Parcel Number:	3435-600-0028-000-9
Property Size:	+/-2.79 acres
Legal Description:	Port St. Lucie Industrial Park Unit 01, Block 7, Lots 13 & 14
Future Land Use:	LI/CS (Light Industrial/Service Commercial)
Existing Zoning:	WI (Warehouse Industrial)
Existing Use:	Warehousing

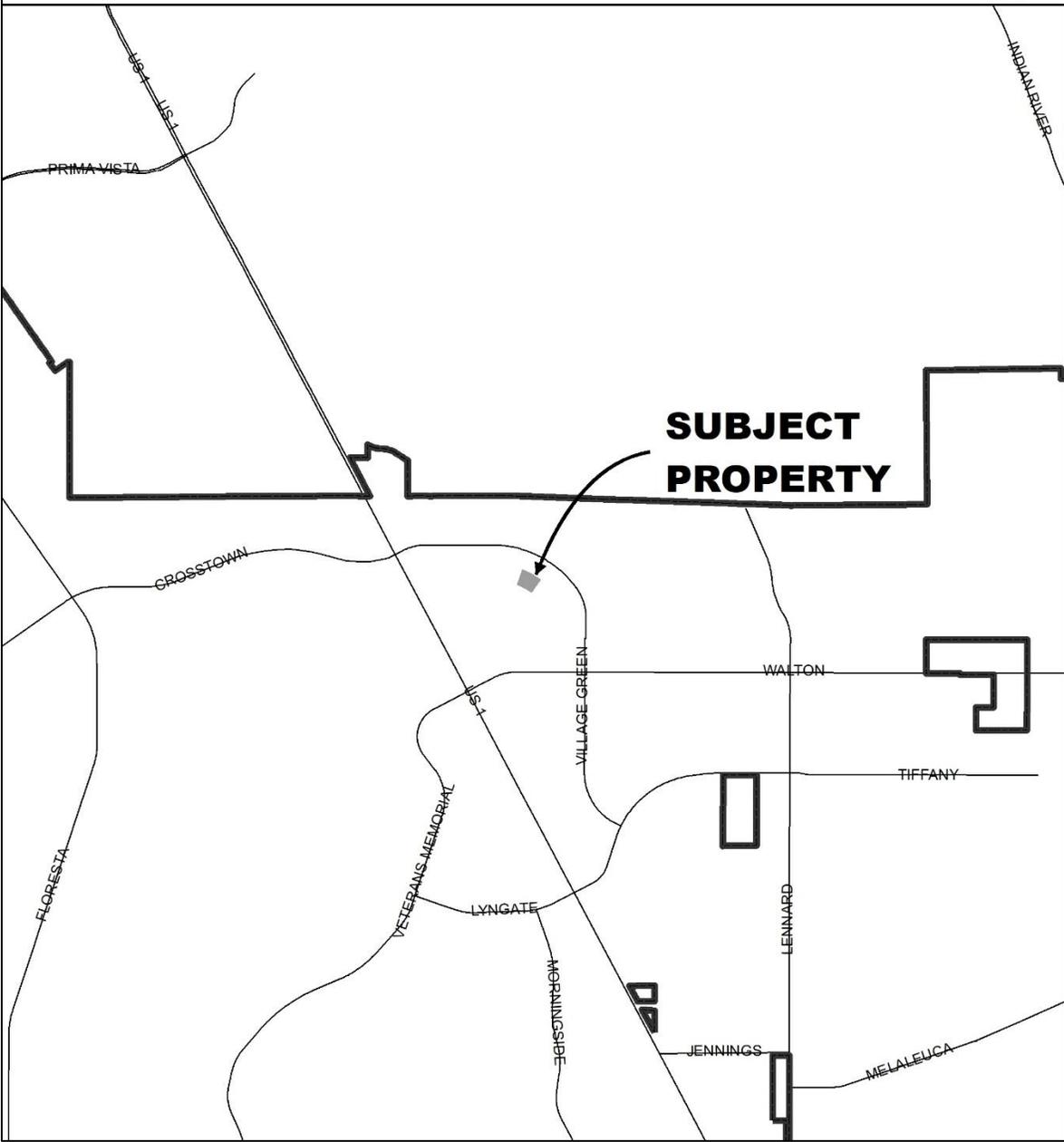
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	LI/CS	WI	Warehousing
South	LI/CS	WI	Warehousing
East	LI/CS	WI	Warehousing
West	LI/CS	WI	Warehousing

LI/CS – Light Industrial/Service Commercial

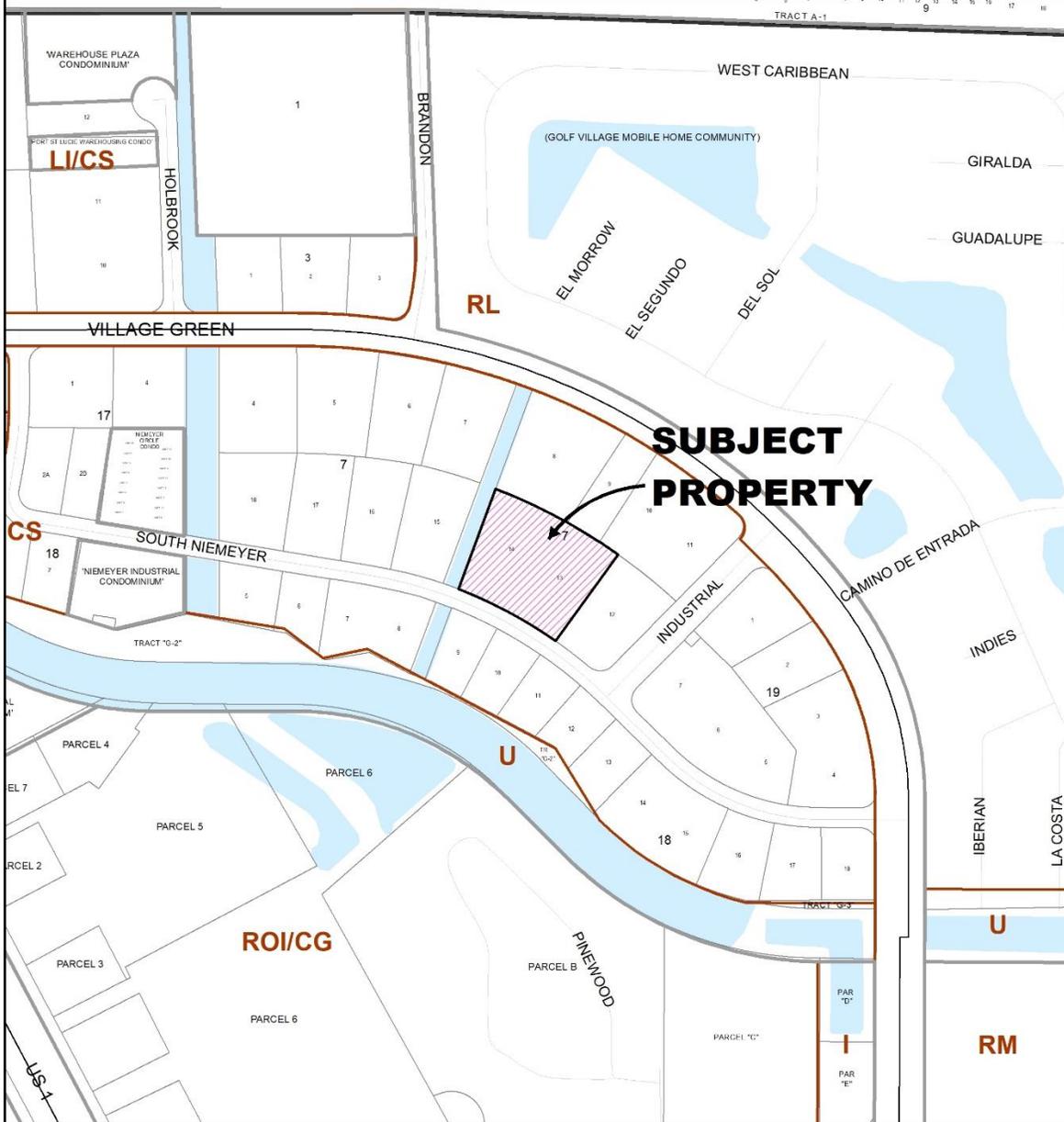
WI – Warehouse Industrial

GENERAL LOCATION



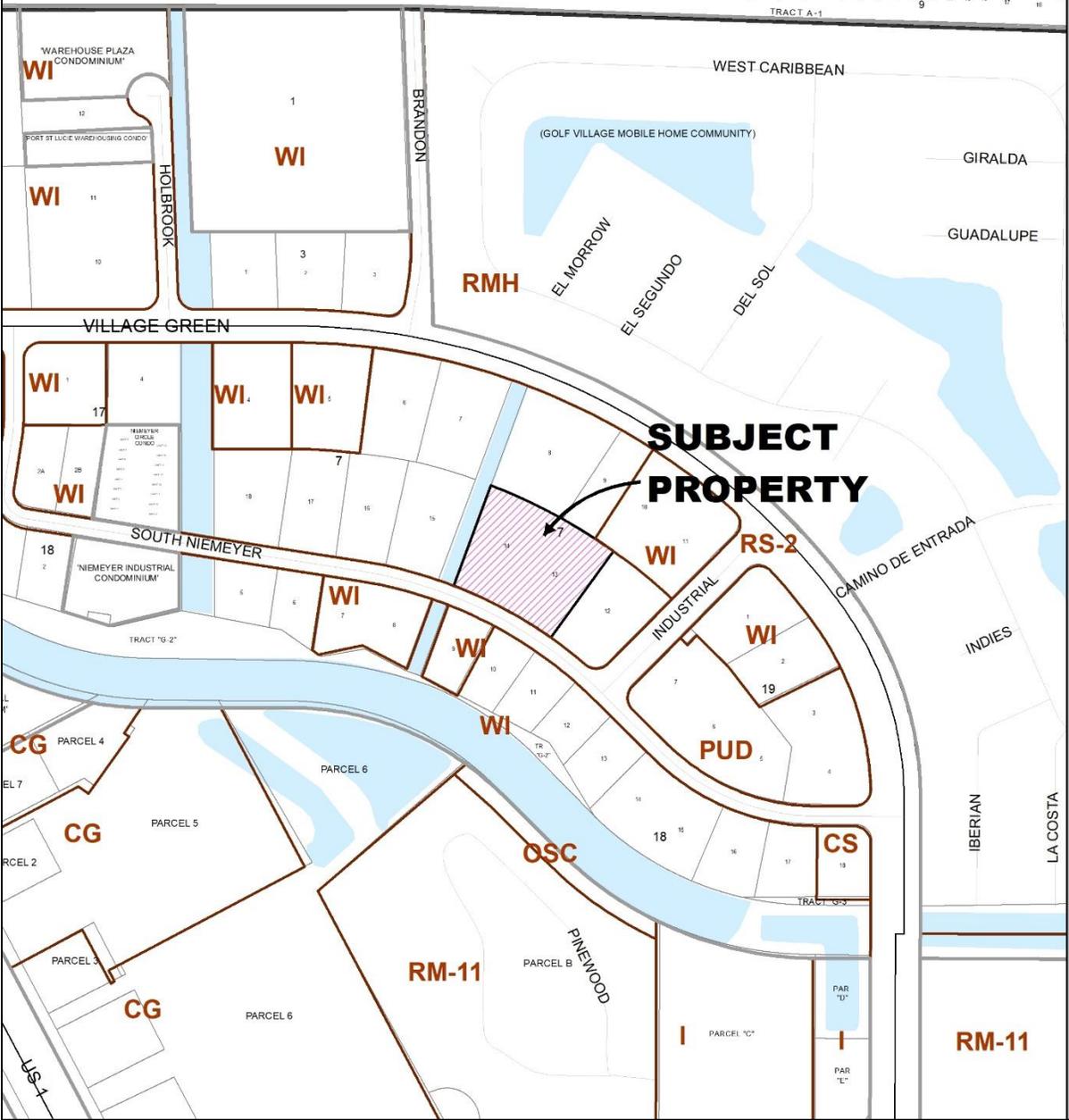
Location Map

FUTURE LAND USE



Land Use Map

EXISTING ZONING



Zoning Map

PROJECT ANALYSIS

Special exceptions are uses that would only be allowed under certain conditions and are reviewed to be compatible with the existing neighborhood. Approval of a special exception application shall only be granted by the City Council if it meets the criteria established under Section 158.260 (A) through (L) as noted below. The applicant's response to the criteria is attached. Staff's review is provided below.

Evaluation of Special Exception Criteria (Section 158.260)

(A) Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.

- **Applicant's Response:** The proposed special exception use is to allow an 8,500 square foot enclosed assembly for the purposes of a recreational volleyball facility with a limited number of athletes at a time during business hours.
- **Staff findings:** The proposed enclosed assembly is an 8,500 square foot recreation use that will be located within an existing warehouse building with adequate ingress and egress to the property. The existing site plan will not be affected or changed, therefore the approved traffic, and access for emergency services will remain adequate for the site and the proposed use.

(B) Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

- **Applicant's Response:** The proposed use will be located within an existing warehouse building and will not require additional off-street parking or loading areas and will not create undue noise, glare, odor or other detrimental effects upon adjacent properties.
- **Staff findings:** The existing site plan already provides sufficient off-street parking spaces to accommodate the needs of the proposed enclosed assembly use. The existing warehouse facility consists of a 22,000 square foot metal building with 44 available parking spaces on site. The initial approval of the warehouse building required a total of 26 parking spaces, with the final constructed site containing the existing 44 parking spaces. The proposed recreational use is intending to only use 8,500 square feet of the existing building requiring a total of 43 spaces of the site's current 44 spaces along with additional space onsite to construct additional parking at a future date through a site plan amendment. The remaining 13,500 square feet of the building is intended to be unused until a future date when a site plan amendment for the site will be processed to update the site with additional parking and landscaping.

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

- **Applicant's Response:** The proposed use will be located within an existing warehouse facility.
- **Staff findings:** The proposed enclosed assembly will be located within an existing warehouse facility that contains existing utilities. The utilities in place will provide adequate levels of service for the intended use.

(D) Adequate screening or buffering. Additional buffering beyond that which is required by the code may be required in order to protect and provide compatibility with adjoining properties.

- Applicant's Response: The site is an existing warehouse and is not connected to any adjacent properties.
- Staff findings: The project site contains an existing warehouse facility that was constructed to meet the required code setbacks and buffering requirements at the time of completion.

(E) Signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required.

- Applicant's Response: The proposed sign will go out front of the building in accordance with code.
- Staff findings: The applicant has stated that signage will be constructed in accordance with code standards.

(F) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties to eliminate or minimize any undue glare.

- Applicant's Response: The proposed enclosed assembly will be an interior training use only.
- Staff findings: The proposed use will be interior to the building only and will not impede on any of the site's existing open spaces. The existing approved warehousing facility plan provides adequate open space for the site in accordance with code requirements.

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

- Applicant's Response: The proposed use is allowed as a SEU in the existing zoning district. The applicant demonstrated consistency with the requirement of the City's Land Development Code by completion of the SEU application.
- Staff findings: The proposed use is allowed as a special exception use in the Warehouse Industrial zoning district per Section 158.135(C)(5) of the Zoning Code.

(H) Establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the City.

- Applicant's Response: Set'em Up! Is an established recreational facility that serves kids and adults for exercise. This facility will provide an enclosed safe area.
- Staff findings: By adhering to City Code and regulations, the establishment and operation of the proposed uses are not anticipated to impair the health, safety, or convenience of residents and workers in the City. The only traffic in the area is generated by employees and patrons of the existing warehouse uses.

(I) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity.

- Applicant's Response: The proposed facility will operate within the same hours as the surrounding businesses to not constitute a nuisance or hazard.

- Staff findings: The indoor recreational facility is not expected to generate noise or hazards because of the number of people who will attend or use the facility. The establishment will operate year-round and is open 7 days a week. The facility will be open from January 1st to June 1st & September 1st to December 31st from 4pm-10pm. During the summer months, June 2nd to August 10th the facility will be open from 10am to 10pm. The facility will consist of 3 volleyball courts, games will be held once per month with a maximum of 2 games being played at once.

(J) The use as proposed for development will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access location, light and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes or changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood.

- Applicant’s Response: The request is based on pre-existing interior space within the plaza.
- Staff findings: The proposed use is not expected to adversely impact surrounding properties. The building footprint is existing, the recreational facility is surrounded by warehousing uses which have similar hours of operation.

(K) As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of the neighborhood.

- Applicant’s Response: Acknowledged.
- Staff findings: Acknowledged.

(L) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both.

- Applicant’s Response: Acknowledged.
- Staff findings: Acknowledged.

PLANNING AND ZONING BOARD ACTION OPTIONS

If the board finds that the special exception use application is consistent with the criteria as listed in Section 158.260 (A) through (L) of the City code, then the Board may:

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with conditions as recommended by staff.

If the board finds that the special exception use application is inconsistent with the criteria as listed in Section 158.260 (A) through (L) of the City code, then the Board may:

- Motion to recommend denial to the City Council

Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to table or continue the hearing or review to a future meeting.