



**Brizon Investments, LLC**  
**Small-Scale Comprehensive Plan Amendment**  
**P22-364**



**Project Location Map**

**SUMMARY**

Applicant's Request:	Small-Scale Future Land Use Map Amendment from Residential, Office, Institutional (ROI) to Commercial General (CG)
Applicant:	Estacado Interests
Property Owner:	Brizon Investments, LLC
Location:	2773 Port St. Lucie Boulevard
Project Planner:	Stephen Mayer, Planner III Bridget Kean, AICP, Senior Planner

**Project Description**

The applicant is requesting approval of a small-scale Future Land Use Map amendment for 1.06-acres of property that is located at the northeast corner of the intersection of SW Port St. Lucie Boulevard and SW Aviation Avenue. The request is to change the land use from Residential, Office, Institutional (ROI) to Commercial General (CG). The subject property is four formerly residential parcels legally described as Section 41, Block 2894, Parcels 10, 11, 12, and 13 that were rezoned to the Professional Zoning District (P) in 2002 (OR 02-69). A Unity of Title was included with the rezoning. The subject property is located within Conversion Area 4 per the City of Port St. Lucie Land Use Conversion Manual. The properties that are within Conversion Area 4 have a future land use designation of ROI. 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.

The subject property is located on the north side of SW Aviation Boulevard, which is the southern boundary of Conversion Area 4. The properties on the south side of SW Aviation Avenue are in Conversion Area 4 A and have a General Commercial future land use designation. As a result of this configuration, the property abuts a car wash to the south and an institutional use to the north.

There is an associated application to rezone the subject property to the General Commercial Zoning District (CG) (P22-365) that is dependent of the approval of the small scale comprehensive amendment. In addition, the applicant has submitted an application for a special exception use for drive through service in General Commercial Zoning District (CG) (P22-331). The proposed use is a coffee shop with drive through service (Starbucks).

**Public Notice Requirements**

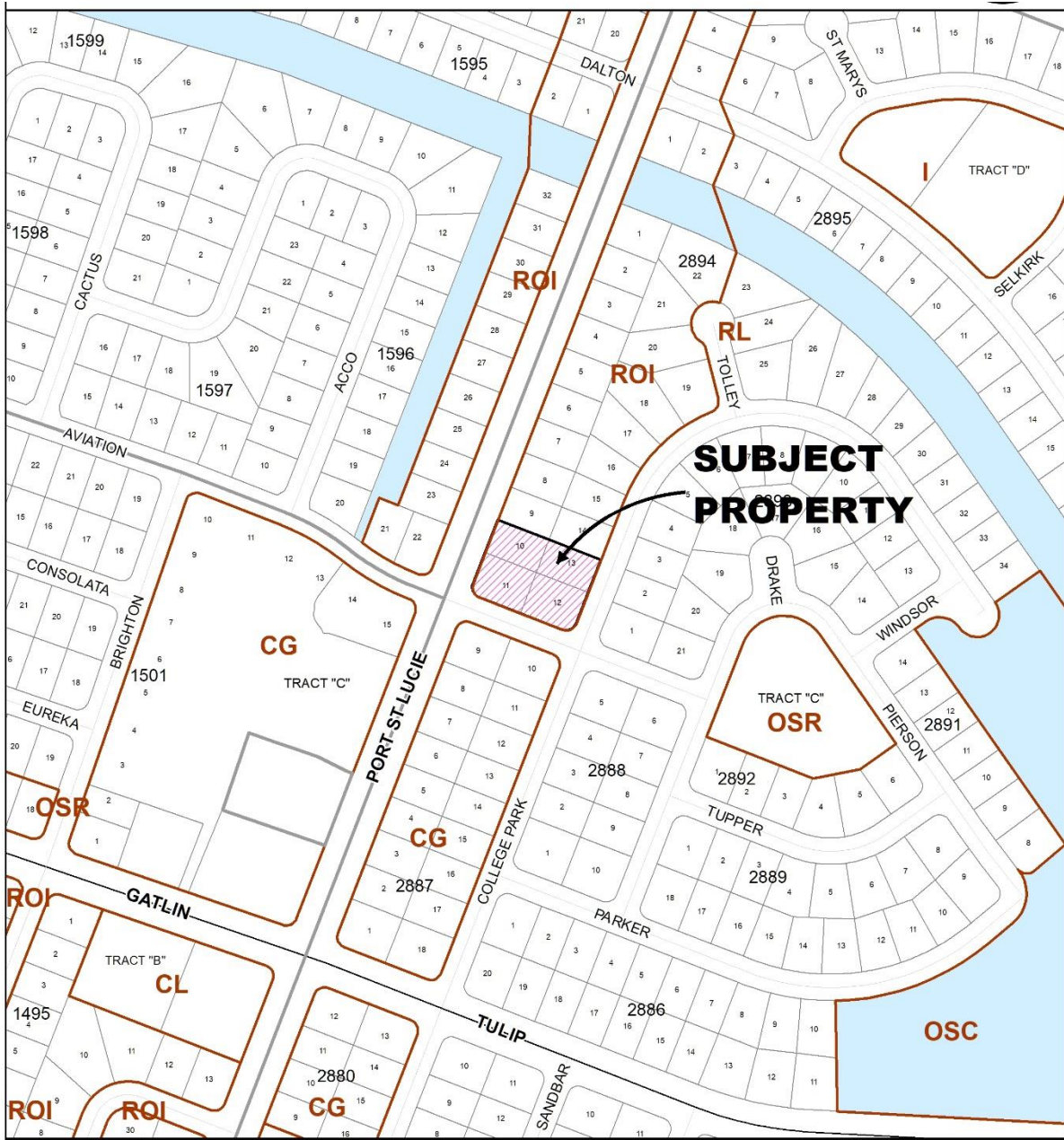
Per Sec 151.06 of the City's Zoning Code, a mailed notification of public hearing has been provided to property owners within 750 feet of the parcel and a copy of the notice has been kept available for public inspection during regular business hours.

**Location and Site Information**

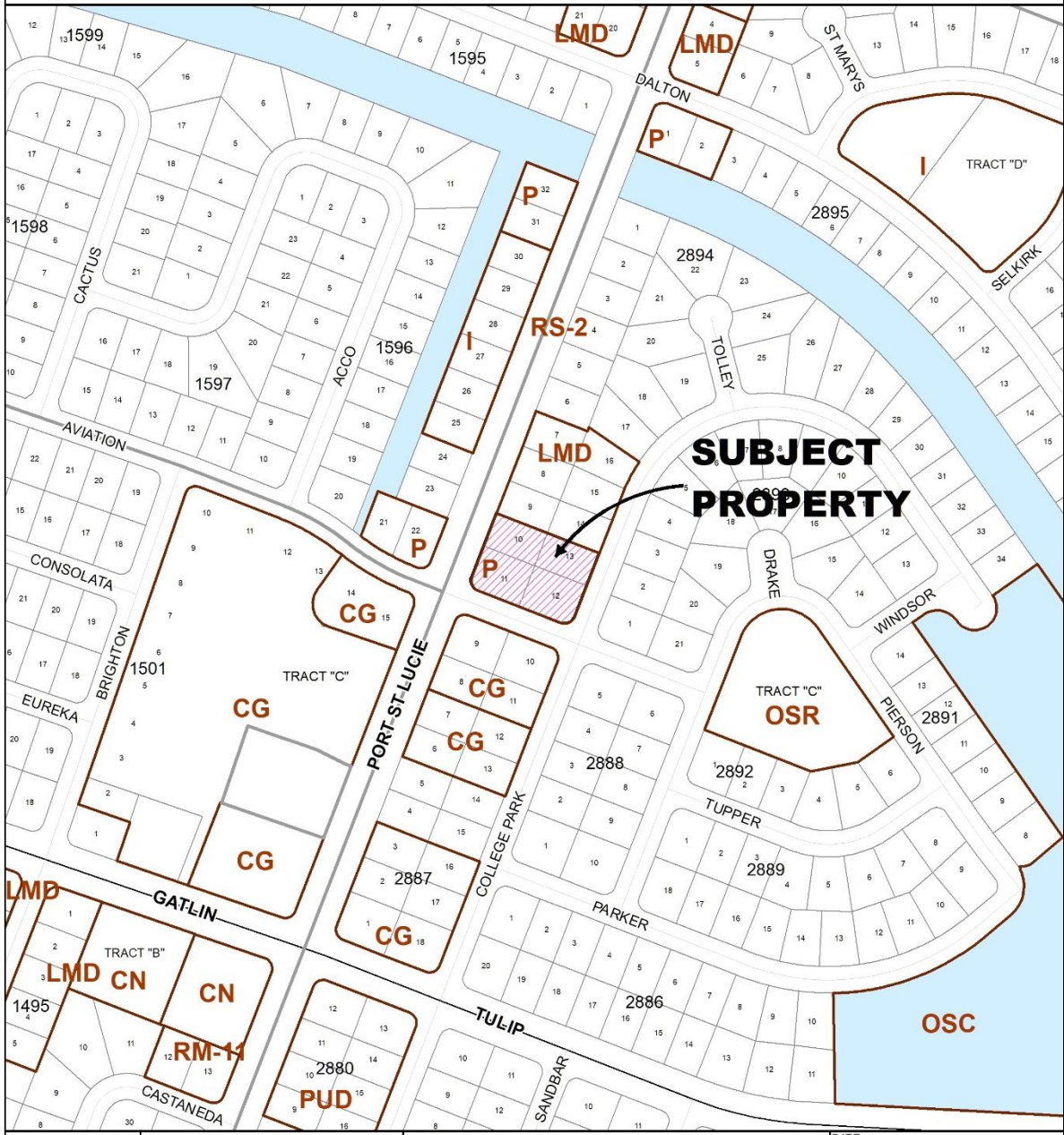
Parcel Number:	3420-705-029-000-5
Property Size:	1.06 acres
Legal Description:	Port St. Lucie Section 41, Block 2894, Lots 10,11,12 and 13
Future Land Use:	Residential, Office and Institutional (ROI)
Existing Zoning:	Professional
Existing Use:	Vacant Zoning District (P)
Requested Future Land Use:	Commercial General (CG)
Proposed Use:	Coffee Shop with drive thru

**Surrounding Uses**

Direction	Future Land Use	Zoning	Existing Use
North	Residential, Office, Institutional (ROI)	Limited Mixed Use (LMD)	Institutional Use
South	Commercial General (CG)	CG	Car Wash
East	Residential Low (RL)	Residential Single Family (RS-2)	Single Family Residential
West	ROI	Professional Office (P)	Vacant



**Future Land Use Map**



Zoning Map

## COMPREHENSIVE PLAN REVIEW AND ANALYSIS

### **Applicant's Justification Statement**

The request is to change the future land use designation for 1.06 acres from Residential, Office, Institutional (ROI) to Commercial General (CG) to allow the property to be developed for a commercial use. As justification for the proposed amendment, the applicant has cited the two commercial developments on the southeast and southwest corners of the intersection of SW Aviation Ave and SW Port St. Lucie Boulevard. These properties have General Commercial (CG) future land use and zoning and have been developed as an auto parts store at the southwest corner and a car wash at the southeast corner.

**Staff Analysis:** Policy 1.1.7.1 of the Comprehensive Plan establishes the criteria for the review of future land use map amendments. Per Policy 1.1.7.1, land use map amendments should be reviewed for impacts to level of service, compatibility with the surrounding area, and the future needs of the City. The proposed future land use amendment will allow for general commercial development at the northeast corner of the intersection of SW Port St. Lucie Boulevard and Aviation Avenue.

As the applicant has noted, the subject property is adjacent to property zoned for general commercial use to the south. The subject property also abuts property zoned for institutional uses to the north. This is due to the fact that SW Aviation Avenue is the dividing line between two designated conversion areas. The properties on the north side of the intersection of SW Port St. Lucie Boulevard and Aviation Avenue are in Conversion Area 4. Conversion Area 4 has a ROI (Residential, Office, and Institutional) future land use designation. It includes all the properties along Port St. Lucie Boulevard from SW Cameo Boulevard south to the north side of SW Aviation Avenue. The properties on the south side of the intersection of SW Port St. Lucie Boulevard and Aviation Avenue are in Conversion Area 4A. Conversion Area 4A has a CG (General Commercial) future land use designation. It runs from the intersection of SW Gatlin Boulevard and SW Port St. Lucie Boulevard north to SW Aviation Avenue as shown below with the subject property highlighted in yellow:



Policy 1.1.4.2 of the Future Land Use Element identifies the commercial land use designations to be provided in the City. The ROI future land use designation is described as a mixed use category to serve development along major corridors as transitional land uses between more intensive commercial areas. The General Commercial Land Use is described as a land use designated to accommodate general retail sales and services with restrictions on heavy vehicular sales, services, wholesale, warehouse uses, outdoor

storage, or other nuisance uses. In most of the City's conversion areas, the properties that abut major signalized intersections are designated for general commercial uses. The mid-block areas in between the major intersections are generally designated for ROI (Residential, Office, and Institutional) use and/or RM (Medium Density Residential) use. The conversion areas are designed this way because mid-block areas tend to be less suited for high volume traffic generating uses due to limited access, potential impacts to the flow of traffic, and other constraints.

The subject property is located at the intersection of SW Port St. Lucie Boulevard and SW Aviation Avenue. Both roadways were platted by the General Development Corporation (GDC) and the intersection of these two roadways was designed as a full access intersection (left-in/left-out/right-in/right-out). The intersection of SW Port St. Lucie Boulevard and SW Aviation Avenue is unsignalized and is likely to remain that way. The intersection is approximately 885 linear feet from the signalized intersection at SW Gatlin Boulevard and SW Port St. Lucie Boulevard. Per the Public Works Department, state standards require a minimum of 1,320 linear feet between intersections for signalization. There is an existing residential neighborhood east of the subject property. The only access in and out of this neighborhood is via SW Aviation Ave to Port St. Lucie Blvd or via SW College Park Road to SW Tulip Boulevard as shown on the following map:



The subject property's existing ROI (Residential, Office, and Institutional) future land use does allow for limited retail development under the Limited Mixed Use (LMD) zoning designation. Drive-through service, gas stations, and convenience stores are not permitted in a Limited Mixed Use (LMD) zoning district. Since the proposed use is a 2,225 square foot coffee shop/restaurant with drive-through service (Starbucks) the applicant has to first apply to change the property's future land use to a future land use classification that would allow for drive-through service.

**Adequate Public Facilities Review (Objective 1.1.3 of the Future Land Use Element)** The project has been reviewed for consistency with the adopted level of service standards in the Comprehensive Plan and documented as follows:

**Potable Water/Sanitary Sewer:** The City of Port St. Lucie Utility Systems Department is the provider of water and sewer service to the property. The level of service for potable water is 125 gallons per day per 1,000 square feet for office or commercial. Sanitary sewer is 85 percent of the potable water level of service. Projected water and wastewater demand for both existing and future land use categories are listed below:

**Water and Wastewater Calculations by Net Change of Land Use**

<i>Future Land Use</i>	<i>Maximum Development</i>	<i>Projected Demand Potable Water</i>	<i>Projected Demand Wastewater (85% of potable water rate)</i>
ROI (Existing)	18,469 SF	2,309	1,963
CG (Proposed)	18,469 SF	2,309	1,963
Projected no change in demand		0	0

The proposed future land use amendment would potentially result in no change in water and wastewater demand. Existing and planned facilities are available to serve the area.

**Transportation:** An updated traffic study is included in the submittal packet for the proposed amendment. The traffic study that was conducted is based on the maximum amount of development that could occur on the site under the General Commercial (CG) zoning designation. The study was conducted for a convenience store/gas station using the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition*. Under the General Commercial Zoning Designation, both a convenience store and automobile fuel sales are listed as special exception uses. These uses are not permitted outright. They require a separate review and specific approval by the City Council. The trip generation analysis is as follows:

<b>Land Use Designation</b>	<b>Acre</b>	<b>Maximum Coverage</b>	<b>Trip Generation Average Rate (ITE Code)</b>	<b>Average Daily Trips</b>	<b>PM Peak Hour</b>
Existing ROI (Residential, Office, and Institutional)	1.06	17,946 SF	Office (710)	260	40

<b>Proposed Future Land Use</b>	Acre	Maximum Coverage	Trip Generation Average Rate (ITE Code)	Trip Generation	PM Peak Hour
<b>Commercial General (CG)</b>	1.06	8 Fuel Pumps	Convenience Store/Gas Station (945)	2,121 average daily trips	147
Pass By Trips (60% AM, 56% PM)				1,230	82
Net New Trips				891	65

Per the applicant’s traffic study, the proposed development is projected to generate 891 new trips per day, of which 51 new trips occur during the AM peak hour and 65 new trips occur during the PM peak hour.

The applicant’s traffic study included a capacity analysis of existing conditions on roadway segments within the study area and a capacity analysis of projected conditions based on the proposed development. As the study noted, the unsignalized SW Port St Lucie Boulevard and SW Aviation Avenue intersection currently operates with delays on the eastbound approach during both AM and PM peak hours under existing traffic conditions. Per the Public Works Department’s review of the application and the applicant’s traffic study, the proposed land use change could result in a substantial increase to the PM Peak driveway trips for this site. It could add approximately 107 more PM Peak Hour trips onto the surrounding roadways compared to the existing land use designation. Based on the location of the site, these traffic trips would be entering and/or exiting through the intersection of Port St. Lucie Blvd and Aviation Avenue in various directions. This intersection is currently a full access median opening. The traffic analysis shows that this intersection is already failing at a level of service F in the eastbound direction as of the traffic counts existing today. With the addition of the potential trips from this site, the west bound leg of this intersection will also have a failing level of service in the PM Peak hour.

If the land use amendment is approved, the City does have the ability to condition the approval of a special exception use to specify certain transportation improvements to offset any negative impacts. The Public Works Department does recommend that any motion for approval of the future land use map amendment include a condition to require any application for a special exception use be subject to transportation mitigation measures. The purpose of this condition is to formalize for the applicant staff’s concerns about traffic impacts so the applicant is aware that future mitigation measures will be required. Without mitigation, the existing roadways for this site do not have capacity for the potential increase of trips proposed by this site. Further review of the actual trip counts for the specific proposed site and any applicable stacking counts if drive-through service is proposed will be analyzed at the time of Special Exception Use and Site plan submittals.

Access to the property will be via two driveways. A full access driveway is proposed for SW Aviation Ave. A shared right in/right access driveway is proposed for SW Port St. Lucie Boulevard. The shared driveway is located on the adjacent property to the north at 2749 SW Port St Lucie Blvd (Parcel ID# 3420-705-0296-000-4). If the proposed future land use amendment is approved, a cross access agreement between the two property owners will be required with the rezoning application. No access is proposed at the rear where the subject property abuts a residential street.



**Parks/Open Space:** N/A as there is no residential development associated with the proposed land use change.

**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:** N/A as there is no residential development associated with the proposed land use change.

**Environmental:** The applicant will be required to provide for tree preservation/mitigation pursuant to the City Code. A gopher tortoise survey will be required in conjunction with a site plan application.

**Flood Zone:** The flood map for the selected area is number 12111C0288K 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 10 (777 SW Dalton Circle). 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 response time is approximately 5-7 minutes for emergency calls. This proposed comprehensive plan is not expected to adversely impact that response time.

#### **STAFF RECOMMENDATION**

At the March 7, 2023 Planning and Zoning Board meeting, the Planning and Zoning Board recommended approval of the proposed amendment by unanimous vote of the Board.

The Public Works Department does recommend that any motion for approval of the future land use map amendment include a condition to require any application for a special exception use be subject to transportation mitigation measures. The transportation mitigation measures will be negotiated by Staff as part of the review of the Special Exception Use application.