



**Bluekey
 Special Exception Use
 P21-258**



Project Location Map

SUMMARY

Applicant's Request:	The request is for approval of a Special Exception Use (SEU) to allow any one use over 5,000 square feet in area, and to allow over 50% of the building's gross floor area to be retail uses.
Applicant:	David Macri
Agent:	Brad Currie, Engineering Design & Construction, Inc.
Property Owner:	Florida Properties West Coast, LLC, Florida Properties Group, Inc., Properties of Central Florida, LLC
Location:	Located on the north side of SW Port St. Lucie Boulevard, approximately 165 feet west of SW Chestnut Lane
Address:	614 - 638 SW Seagull Terrace & 541 - 581 SW Port St. Lucie Boulevard
Project Planner:	Bethany L. Grubbs, Planner II

Project Description

The applicant is requesting a special exception use to allow any one use over 5,000 square feet in area, and to allow over 50% of the building’s gross floor area to be retail uses, within the Limited Mixed Use (LMD) zoning district. Per Section 158.155(D), the LMD zoning district lists uses more than 5,000 square feet per use, and retail or personal service uses exceeding fifty percent (50%) of the building's gross floor area as special exception uses.

Previous Actions and Prior Reviews

The City of Port St. Lucie Site Plan Review Committee (SPRC) reviewed and recommended approval of the conceptual plan on November 24, 2021.

Public Notice Requirements

On February 17, 2022, public notice was mailed to owners within 750 feet and the agenda item was included in the newspaper ad for the Planning and Zoning Board meeting.

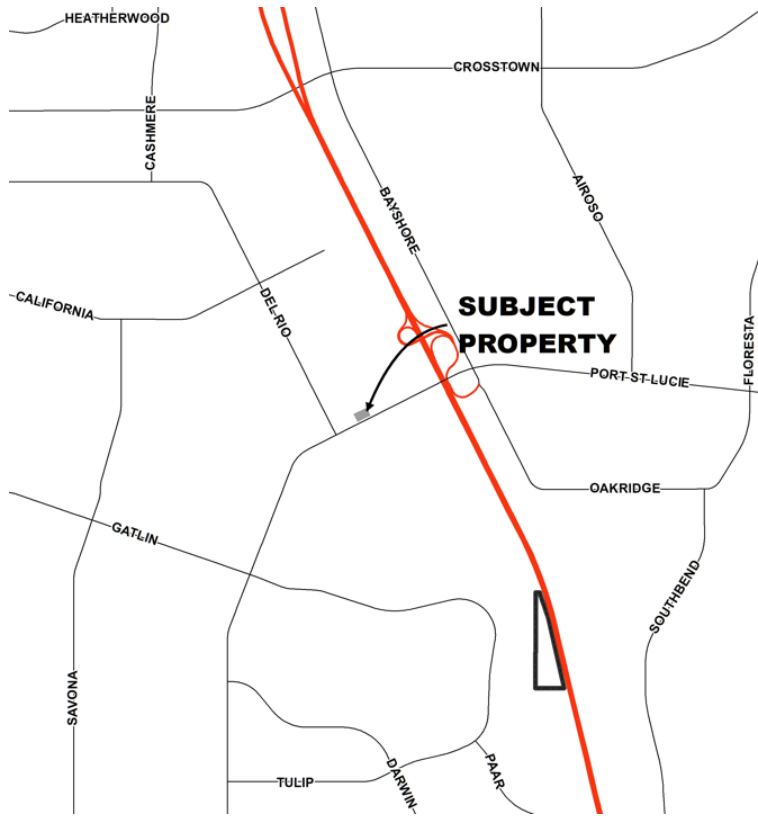
Location and Site Information

Parcel Number(s):	3420-540-1625-000-2, 3420-540-1624-000-5, 3420-540-1623-000-8, 3420-540-1622-000-1, 3420-540-1621-000-4, 3420-540-1642-000-7, 3420-540-1643-000-4, 3420-540-1644-000-1, 3420-540-1645-000-8, and 3420-540-1646-000-5
Property Size:	2.296-acres
Legal Description:	Lots 3-7 and 24-28 – Block 1139 of Port St. Lucie Section 9
Existing Future Land Use:	ROI (Residential, Office, and Institutional)
Existing Zoning:	P (Professional) & RS-2 (Single-Family Residential)
Existing Use:	Vacant

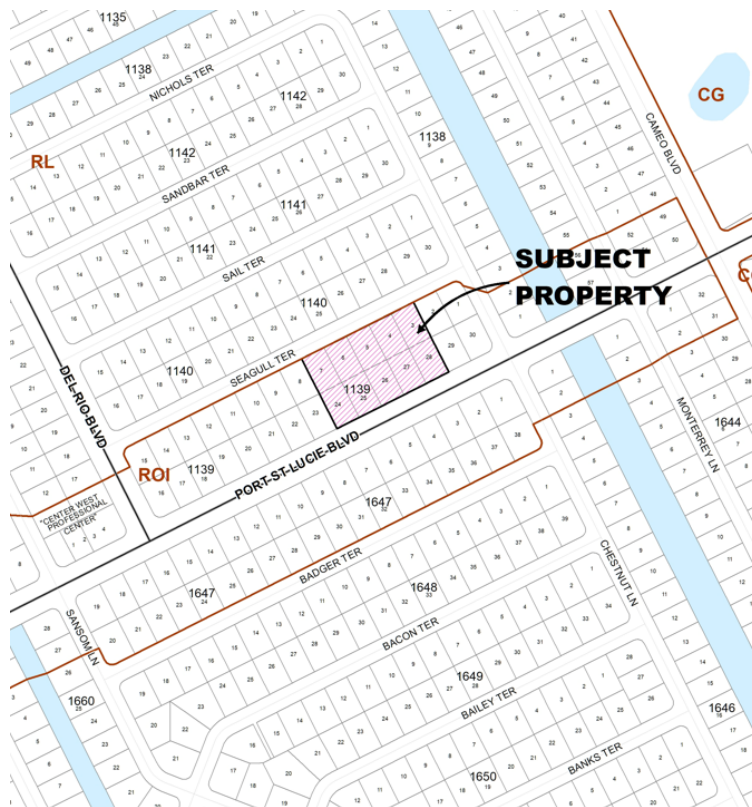
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	Single-Family Residences, Vacant
South	ROI	RS-2, I	Vacant, Office
East	ROI	P	Vacant
West	ROI	LMD	Vacant

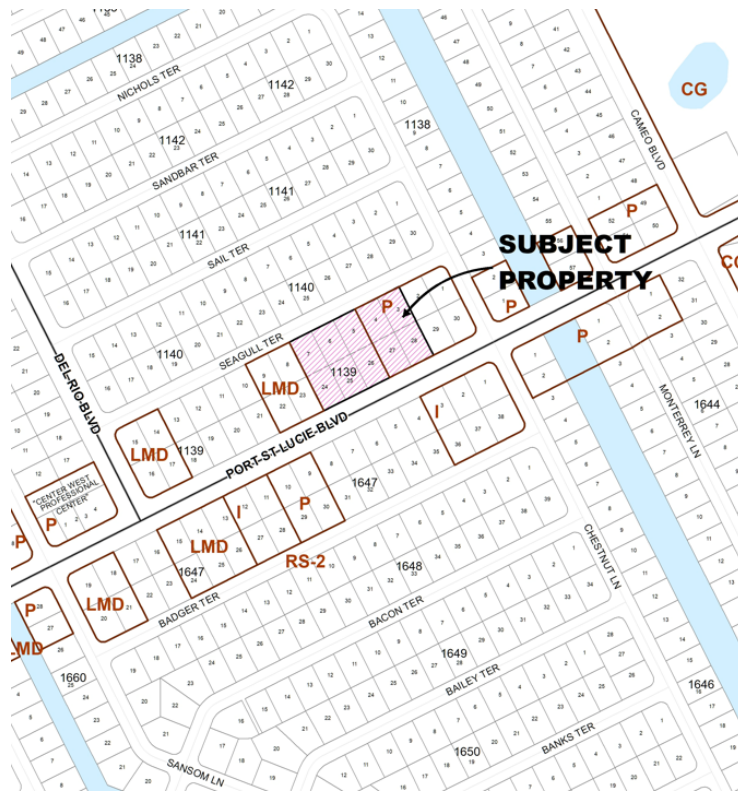
RL- Low-Density Residential; ROI – Residential, Office, Institutional; RS-2 – Single-Family Residential, I – Institutional, LMD – Limited Mixed Use, P - Professional



Location Map



Land Use Map



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.

- **Staff findings:** The proposed development includes two (2) access driveways off of Port St. Lucie Boulevard. The driveways meet the minimum requirements of the City's Zoning Code. There is an existing sidewalk that runs on the north side of Port St. Lucie Boulevard and the proposed development will have pedestrian connectivity from the building to the sidewalk on Port St. Lucie Blvd.

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

- **Staff findings:** Adequate off-street parking and loading areas are provided without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties. Off-street parking is calculated based upon the provisions identified within Section 158.221. Office and retail uses require 1 parking space per every 200 square feet. The use requires 111 spaces, and 115 spaces are being provided, which includes 5 accessible spaces.

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

- Staff findings: Adequate utilities are available to service the proposed development. The Port St. Lucie Utility Systems Department (PSLUSD) will provide utility services to the site. Additional review and consideration will be provided at the time of site plan and detailed plan review.

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

- Staff findings: The landscape plan includes perimeter landscaping and a six-foot high masonry wall which shall provide adequate screening and buffering. The proposed development shall be sufficiently buffered per the landscape standards specified in Section 154.03 of the Landscaping Code. Screening of on-site improvements (e.g. dumpster, parking areas, etc). shall be accomplished through landscaping. A six-foot high architectural wall is provided separating the retail area and the neighboring residential community to the north.

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

- Staff findings: All signage shall be required to conform to the City's Sign Code and all outdoor lighting shall be shielded from adjacent properties and roadways.

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

- Staff findings: Front, side, and rear yard building setbacks that conform with the LMD (Limited Mixed Use) zoning district have been met.

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

- Staff findings: The proposed Special Exception Use falls under Section 158.155 of the LMD (Limited Mixed Use) zoning district and shall conform to all provisions of the City's Zoning Code. A Special exception use may be permitted only following the review and specific approval thereof by the City Council.

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

- Staff findings: No adverse impacts are anticipated to impact the overall health, safety, welfare, or convenience of residents or workers of the City. The applicant is proposing uses such as office, retail, and medical office, all of which operate during normal business hours.

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

- Staff findings: All business activities shall occur within an enclosed building; therefore, the proposed office/retail building is not expected to generate noise that would constitute a nuisance.

(J) The use as proposed for development will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access location, light and noise) on nearby property will be considered in

the submittal and analysis of the request. The City may request project design changes or changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood.

- Staff findings: See “Surrounding Uses” chart under criteria. The proposed use is not expected to adversely impact surrounding properties.

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

- Staff findings: Please note this code requirement as a point of consideration.

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

- Staff findings: Please note this code requirement as a point of consideration.

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.