



**Gingerbread Lane Daycare
Special Exception Use
P24-028**



Project Location Map

SUMMARY

Applicant's Request:	The request is for approval of a Special Exception Use (SEU) to allow an enclosed assembly area over 3,000 square feet in the Neighborhood Commercial (CN) zoning district per Section 158.120(C)(1) of the Code of Ordinances.
Agent:	Thomas DeGrace, PE, Culpepper & Terpening, Inc.
Applicant/Property Owner:	H. Andrew Development 3, LLC
Location:	Located north of NW Airoso Boulevard and west of St. James Drive.
Project Planner:	Cody Sisk, Planner II

Project Description

The City of Port St. Lucie has received a request from H. Andrew Development 3, LLC, the property owner, seeking a Special Exception Use (SEU) to accommodate an enclosed assembly area exceeding 3,000 square feet (6,302) for a Daycare Center within the existing vacant site, pursuant to Section 158.120(C)(1) of the Neighborhood Commercial (CN) zoning district. To the east is an existing daycare facility, project P07-335, with a total of 2,338 square feet. The proposed building is an expansion of the existing daycare business.

The proposed conceptual site plan provides shared parking, ingress and egress, and a dumpster enclosure between the two sites. The overall 8,640 square foot of daycare uses are required to have a total of 29 parking spaces at one parking space per 300 square feet of gross floor area. There are 29 spaces provided on the conceptual plan, which meets the minimum requirement. There will be two separate site plans for the existing and proposed buildings, therefore the approved site plan, project P07-335, will be required to be amended to match the proposed site conditions. The applicant will also be required to provide an agreement for shared parking, ingress and egress, and access to the dumpster enclosure. This will allow both daycare buildings to operate and meet the City Code requirements.

The proposed special exception seeks to facilitate the operation of a daycare center, aligning with the zoning code's provisions necessitating review and approval by the City Council for enclosed assembly areas exceeding 3,000 square feet.

Previous Actions

N/A

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:	3420-620-1457-000-8; 3420-620-1458-000-5
Property Size:	0.57 acres
Legal Description:	Lot 44 And Lot 45, Block 55, Port St. Lucie Section Twenty Five, According To The Map Or Plat Thereof, As Recorded In Plat Book 13, Page(S) 32, of The Public Records of St. Lucie County, Florida.
Future Land Use:	CL (Low Commercial)
Existing Zoning:	CN (Neighborhood Commercial)
Existing Use:	Vacant Lot and Existing Daycare

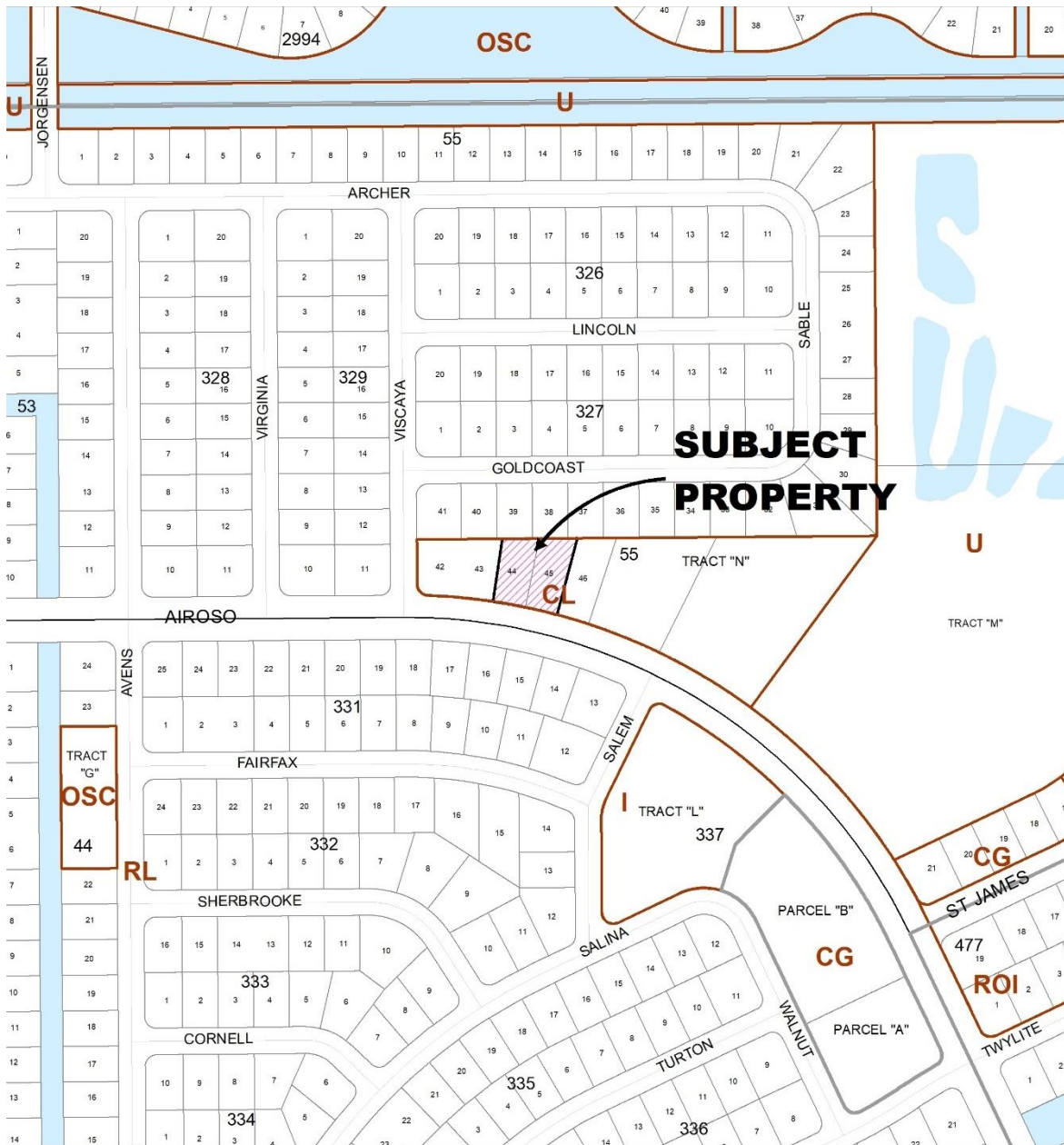
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	Single Family Residential
South	RL	RS-2	Single Family Residential
East	CL	CN	Daycare
West	CL	CN	Retail and Restaurant

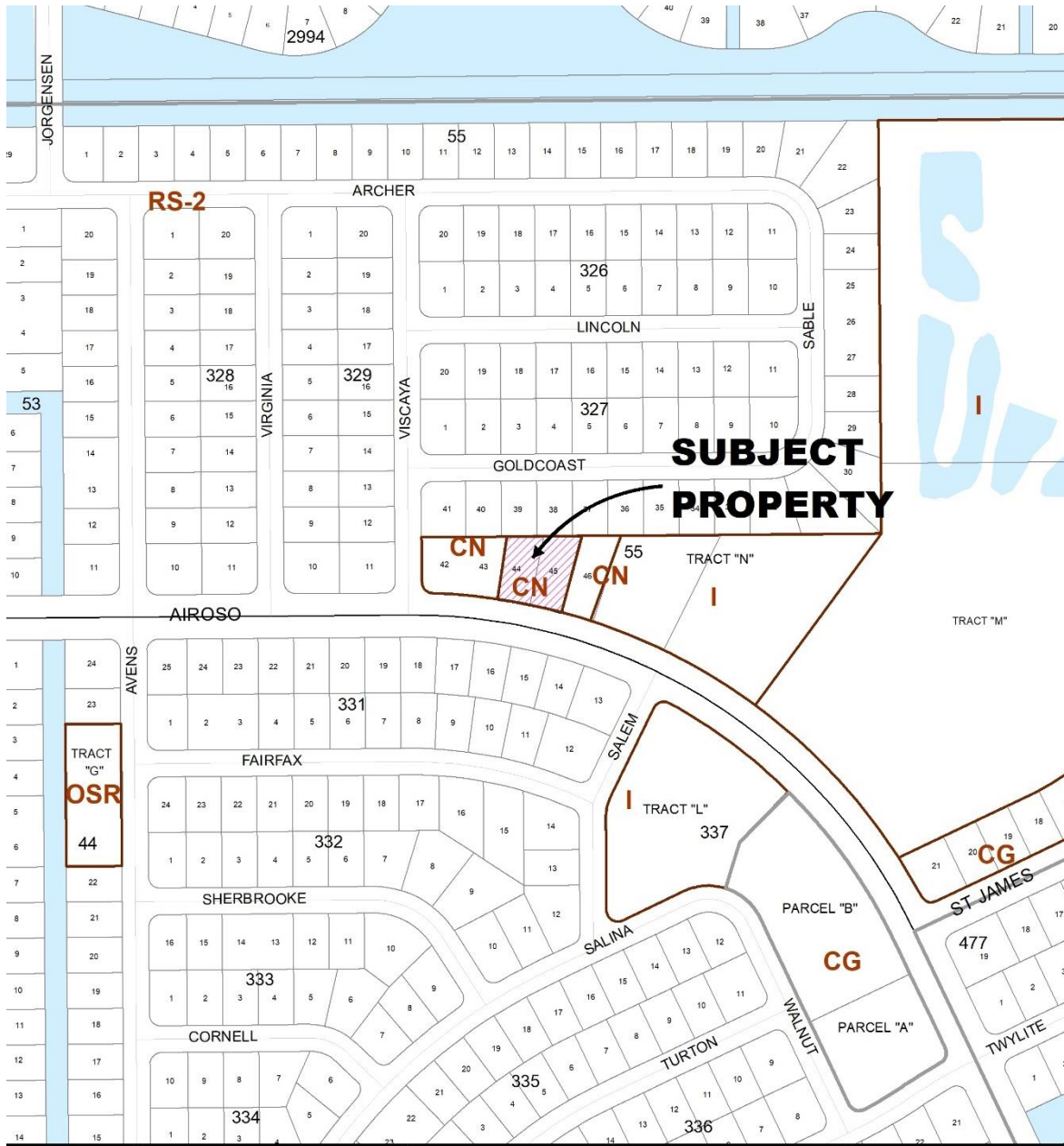
RL – Low Density Residential, CL - Low Density Commercial, RS-2 – Single Family Residential, CN – Neighborhood Commercial



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.

- Applicant's Response: As part of the project site development, one new driveway access will be added that afford a looping opportunity for this expanded use. The establishment of a looping network through this site will facilitate a safer travel flow through the project site.
- Staff findings: The property is located within a vacant property, which at the time of site plan approval the site will have adequate ingress and egress for vehicles and pedestrian circulation. The Gingerbread Lane Daycare is located on NW Airoso Boulevard and one ingress and one egress, and cross-connections, which allows for adequate internal circulation and traffic flow. An existing entrance and sidewalk access are established to the parking lot from the daycare on the east side of the building.

(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: All required onsite parking will be compliant with applicable city codes. Refer to project site plan.
- Staff findings: Adequate off-street parking will be 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 158.220(C) of the Zoning Code. The proposed conceptual site plan for Gingerbread Daycare indicates 1 parking space per 300 square feet of gross floor area. The 6,302 proposed and 2,338 existing square foot, daycare center is required to have 29 spaces. There are 29 spaces provided, which meets the minimum requirement. An agreement for shared ingress/egress, parking and use of the dumpster enclosure shall be required in conjunction with site plan approval.

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

- Applicant's Response: Water and sewer services are available to the project site.
- Staff findings: The Port St. Lucie Utility Systems Department (PSLUSD) currently provides utility services to the site. Adequate utilities are available to service the proposed development.

(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: Refer to the attached project landscape plans. Full perimeter screening has been provided as required by code.

- Staff findings: Adequate buffering is being provided surrounding the site. The site is required to have a minimum of a 10' landscape buffer strip surrounding the site. The north property line will be required to have a landscape buffer wall because there are residential uses to the north of the daycare use.

(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: Final signage placements will be in accord with applicable City standards.
- Staff findings: Outdoor lighting will comply with the requirements of City Zoning Code Section 158.221. Any outdoor signs shall comply with the Chapter 155 Sign Code. The site is undeveloped; therefore, the request will not change any existing requirements pertaining to exterior lighting and signage. Any future individual tenant sign shall be permitted through a separate application.

(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: Refer to project landscape plans, for planting details (preliminary). Compliance with all applicable City standards shall be maintained for the term of this proposed special exception use.
- Staff findings: The yards will be adequate to properly serve the proposed development and will be compatible with the adjacent lots.

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

- Applicant's Response: Yes, the use as proposed will be in conformance with all stated provisions and requirements of this chapter.
- Staff findings: The proposed use is a special exception as defined by Section 158.120(C)(1) - Commercial General (CN) zoning district when over 3,000 square feet and shall conform to all provisions 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: The proposed use, a child daycare center, upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the City.
- 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.

(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: We believe that the proposed use of the property as a child day care center 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: The facility is not expected to generate noise that would constitute a nuisance. The subject property is situated within an established commercial retail environment and the day-to-day activities occur indoors.

(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: There is an existing childcare center on the overall property that the applicant owns, and this application represents an expansion of those activities.
- Staff findings: The proposed use is not expected to adversely impact surrounding properties. The facility is in an area designated for commercial development. The site will be developed, and the required landscape buffers have been installed.

(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: N/A
- 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 amend the recommendation and recommend approval to the City Council

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.