



**Soma Medical Center
 Variance to Elevation Color
 P22-201**



Exhibit 1. Aerial Map

SUMMARY

Applicant's Request:	To grant a variance to the Citywide Design Standards, Appendix A, Approved Colors Table to allow proposed building colors to exceed the maximum percentage allowed by the Citywide Design Standards.
Application Type:	Variance, Quasi-Judicial
Applicant:	Soma Investors, LLC
Property Owner:	Soma Investors, LLC
Agent:	Ana Colom, Team Architecture, Inc.
Address:	1170 SW Bayshore Blvd., 34983
Location:	West side of Bayshore Boulevard, north of Dwyer Avenue, and south of Duxbury Avenue
Project Planner:	Holly F. Price, AICP, Senior Planner

Project Description

The applicant is in the process of renovating an existing building that is currently vacant. The applicant is requesting approval of a variance to the Citywide Design Standards, Appendix A, Approved Colors Table, to allow proposed building colors to exceed the maximum percentage allowed by the Citywide Design Standards. The Citywide Design Standards allows “Honorable Blue” (SW6811) to be used for up to 5% of a building façade and allows “Direct Green” (SW6924) to be used for up to 2% of a building façade. The applicant is proposing to use “Honorable Blue” on 40.59% of the front façade and to use “Direct Green” on 15.61% on each of the side façades. The applicant is requesting a variance of 35.59% for the “Honorable Blue” on the front façade and a variance of 13.61% for the “Direct Green” on the two side facades. The Citywide Design Standards allows for “design relief”, or an administrative variance, by staff. However, the percentage of proposed color exceeds the percentage allowed by design relief.



Exhibit 2. Rendering, Front Façade along Bayshore Boulevard . “Honorable Blue” (SW6811) covers 40.59% of the front façade. Maximum allowed is 5%.



Exhibit 3. Rendering , side Façade. The darker shade of green, “Direct Green” (SW 6924) covers 15.61% of the side façade. The maximum allowed is 2%.

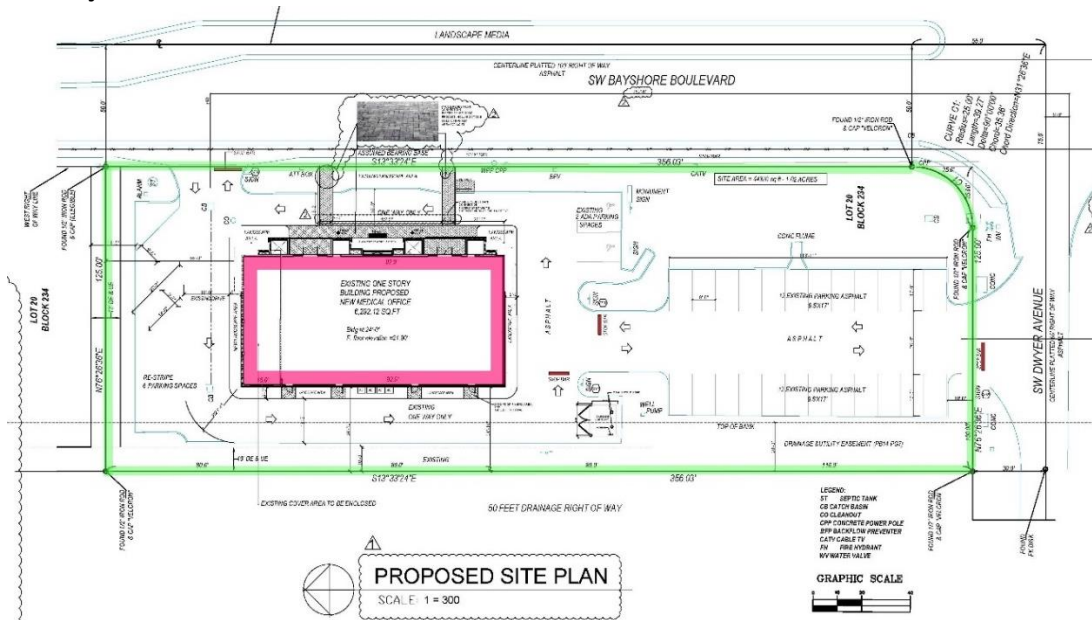


Exhibit 4: Site Plan

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:	3420-635-0474-000-2
Property Size:	1.022 acres
Legal Description:	Port St Lucie-Section 28- Blk 234 Lots 16, 17, 18 And 19
Future Land Use:	CG (General Commercial)
Existing Zoning:	CG (General Commercial)
Existing Use:	Vacant Building

Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	CG	CG	Commercial Oil Change
South	CG	RS-2	Commercial Vacant
East	RL	RS-2	Model Homes
West	LI/CS	CS	Commercial Recycling

RL, Low Density Residential - CG, General Commercial – LI/CS, Light Industrial/Commercial Service – RS-2, Single Family Residential - CS, Service Commercial

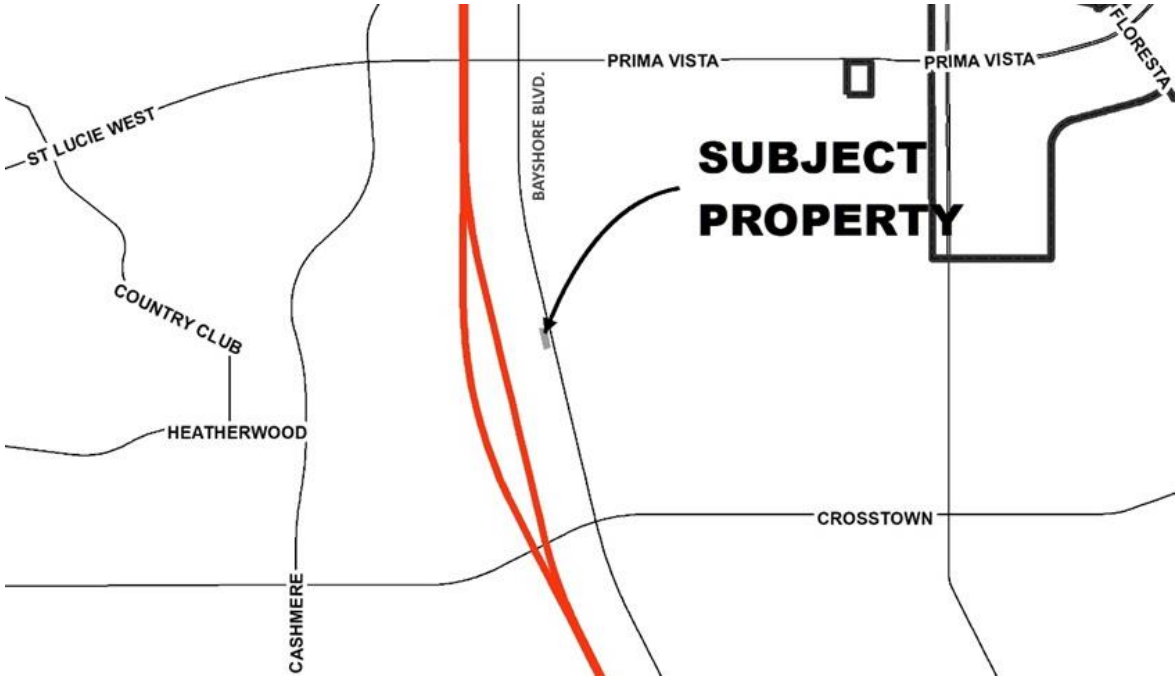


Exhibit 5. Location Map

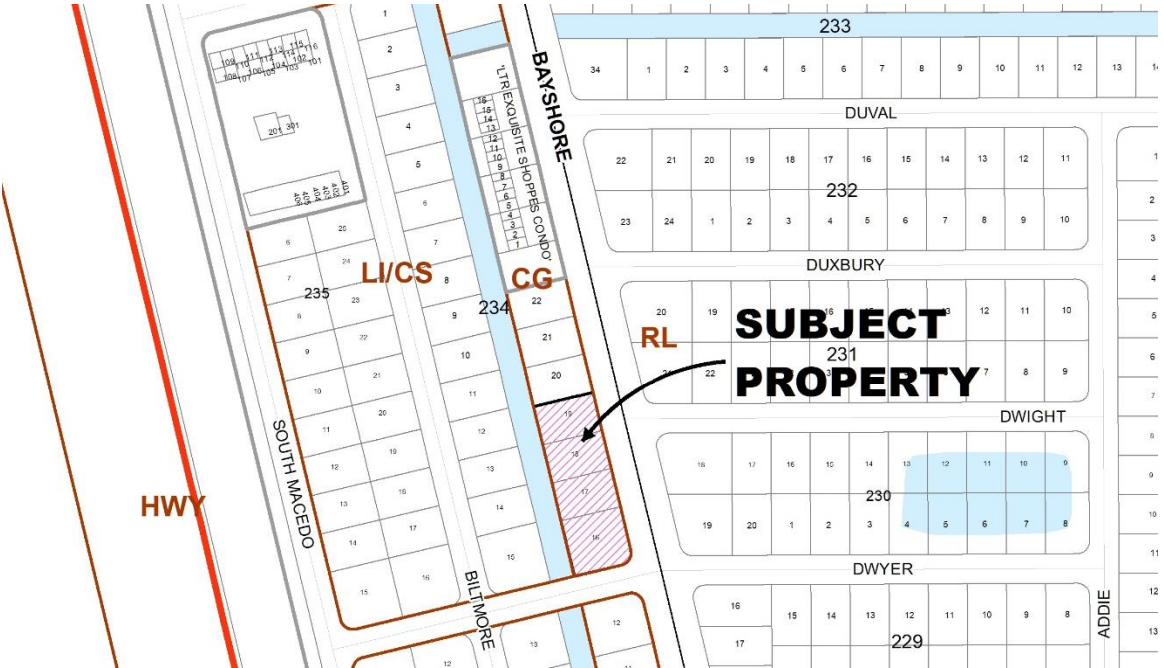


Exhibit 6. Land Use Map

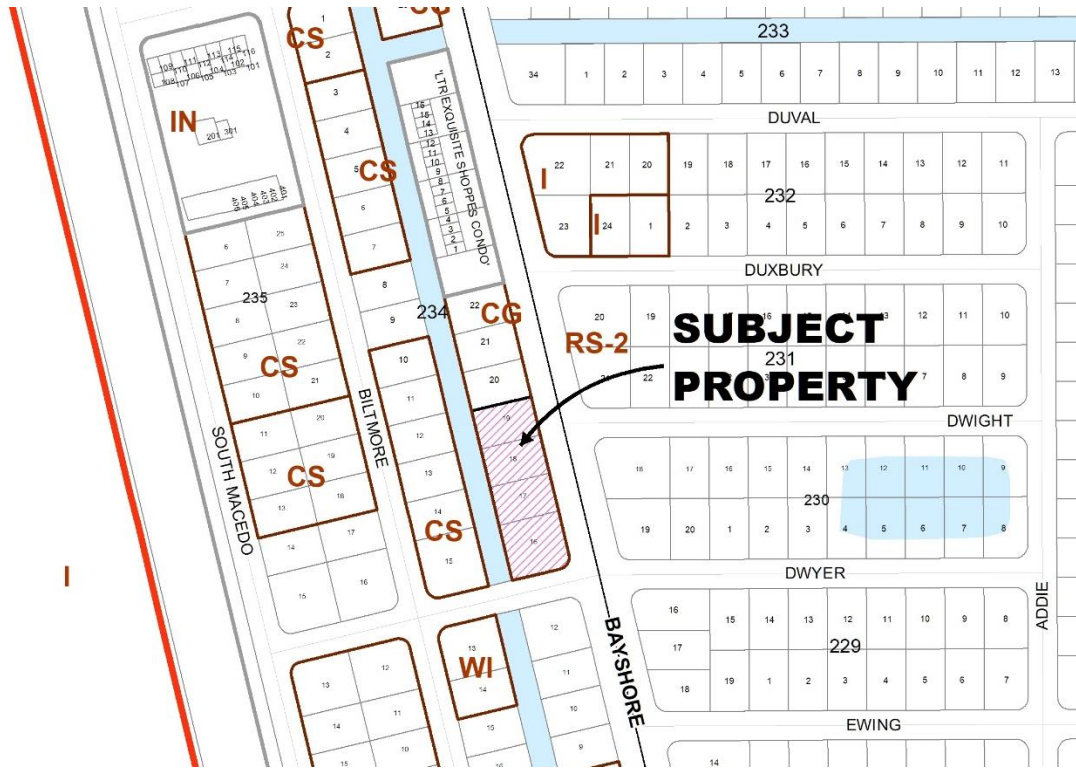


Exhibit 7. Zoning Map

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.
 - *Staff Findings: The Citywide Design Standards promotes light and medium shades of pastel and neutral colors. In 2021, the City expanded the number of colors permitted in the Citywide Design Standards. While the proposed colors are permitted, they are limited in terms of the percentage of color that may be used on buildings. The limitations on the “Honorable Blue” (SW6811) and “Direct Green” (SW6924) colors apply to all applicable development located in the city.*

- 2) That the special conditions and circumstances do not result from any action of the applicant.
 - *Staff Findings: See comment #1. The applicant is choosing to use colors on a building that exceed the percentage allowed by the Citywide Design Standards. The applicants consider these colors to be expressive of their brand. Brand colors are permitted for signs. However, the Citywide Design Standards do not address brand colors for buildings.*
- 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.
 - *Staff Findings: See #1 and #2. For development subject to the Citywide Design Standards, the City requires colors on buildings to be in compliance with the approved colors when a Site Plan application is reviewed.*
- 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.
 - *Staff Findings: See #1 and #2. For development subject to the Citywide Design Standards, the City requires colors on buildings to be in compliance with the approved colors when a Site Plan application is reviewed.*
- 5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 - *Staff Findings: See #1, #2, and #3. The applicant could choose other colors or reduce the amount of Honorable Blue or Direct Green.*
- 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.
 - *Staff Findings: See #1, 2, and 3. The proposed building colors are not similar to other colors on surrounding buildings.*
- 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.
 - *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).