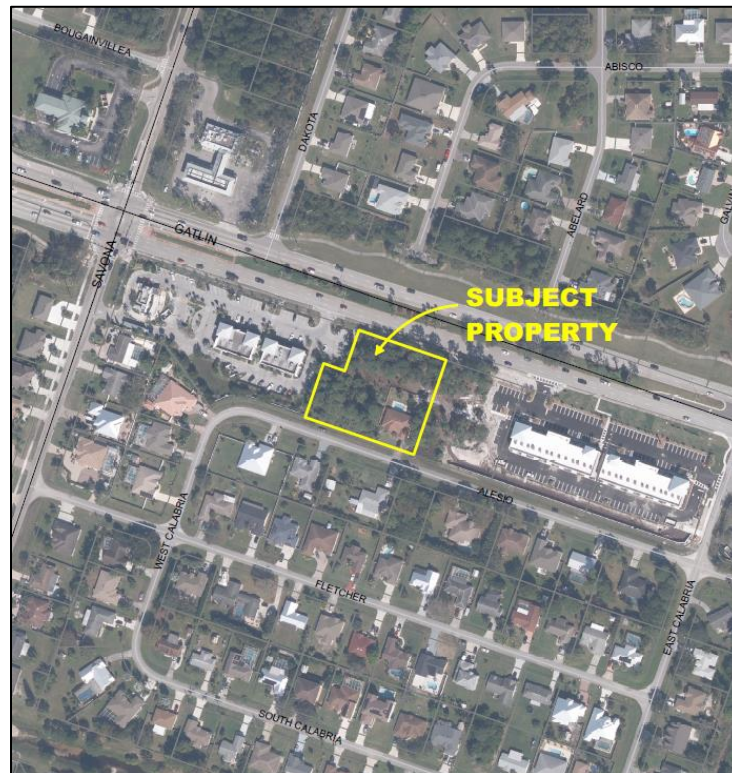




Harbor Village (fka Gatlin Pointe Phase II)  
Special Exception Use  
Project No. P24-152



**Project Location Map**

## SUMMARY

|                      |   |
|----------------------|---|
| Applicant's Request: | The request is to modify a condition placed upon an existing Special Exception Use (SEU) approval for drive-through service, that prohibits menu boards for two (2) restaurants with drive-through service lanes in the General Commercial (CG) zoning district. The applicant is requesting that one of the drive-throughs be allowed to include a menu board for ordering, while the other will operate without a menu board. |
| Applicant:           | Jose Chavez P.E., Storybook Development Services, LLC   |
| Property Owner:      | Harbor Village 18, LLC  |
| Location:            | Located to the southwest of the intersection of SW Gatlin Boulevard and SW East Calabria Circle   |
| Address:             | 1244 SW Gatlin Boulevard  |
| Project Planner:     | Bethany Grubbs, AICP, Senior Planner/Public Art Program   |

**Project Description**

The applicant is seeking to modify a condition placed on the previously approved SEU (P21-237), for drive-through service, which prohibited menu boards for two (2) restaurants with drive-through service lanes in the General Commercial (CG) zoning district. The original SEU approval included a condition that drive-through windows operate only for pick-up or mobile orders, without menu boards. This current request is to modify that condition to allow the installation of one (1) menu board for ordering at one of the two approved drive-throughs. The second drive-through will continue to operate without a menu board. This amendment remains consistent with Section 158.124(C)(13) of the Zoning Code.

The previous approval advanced to City Council with the applicant proposing drive-through services limited to mobile order pickup, with no on-site ordering. This approach was a business decision at the time, made to preserve flexibility since a tenant had not yet been secured. A tenant has now been identified and intends to utilize the drive-through.

As part of the approval, a condition was established that the use would run with the land in perpetuity. Additionally, it was specified that if a menu board were ever proposed, the project would be required to return to City Council for further review of traffic impacts, due to concerns about the potential effects of having two full-service drive-throughs at this location.

The subject property is 1.17 acres and is located to the southwest of the intersection of SW Gatlin Boulevard and SW East Calabria Circle. The future land use designation is General Commercial (CG), which is compatible with the proposed General Commercial (CG) zoning district.

**Previous Actions and Prior Reviews**

The City of Port St. Lucie Site Plan Review Committee (SPRC) reviewed and recommended approval of the Special Exception Use on October 23, 2024.

On December 5, 2022, the applicant was approved for a special exception use (P21-237) to allow two (2) restaurants with drive-through service lanes in the General Commercial (CG) zoning district subject to the condition of approval that the drive-thru windows only operate for pick-up or mobile ordering and have no menu boards, otherwise the applicant will have to come back before Council for approval.

**Public Notice Requirements (Section 158.298 (B))**

Notice of this request for a special exception use was mailed to owners of property within a maximum distance of 750 feet to the subject property on April 25, 2025.

**Location and Site Information**

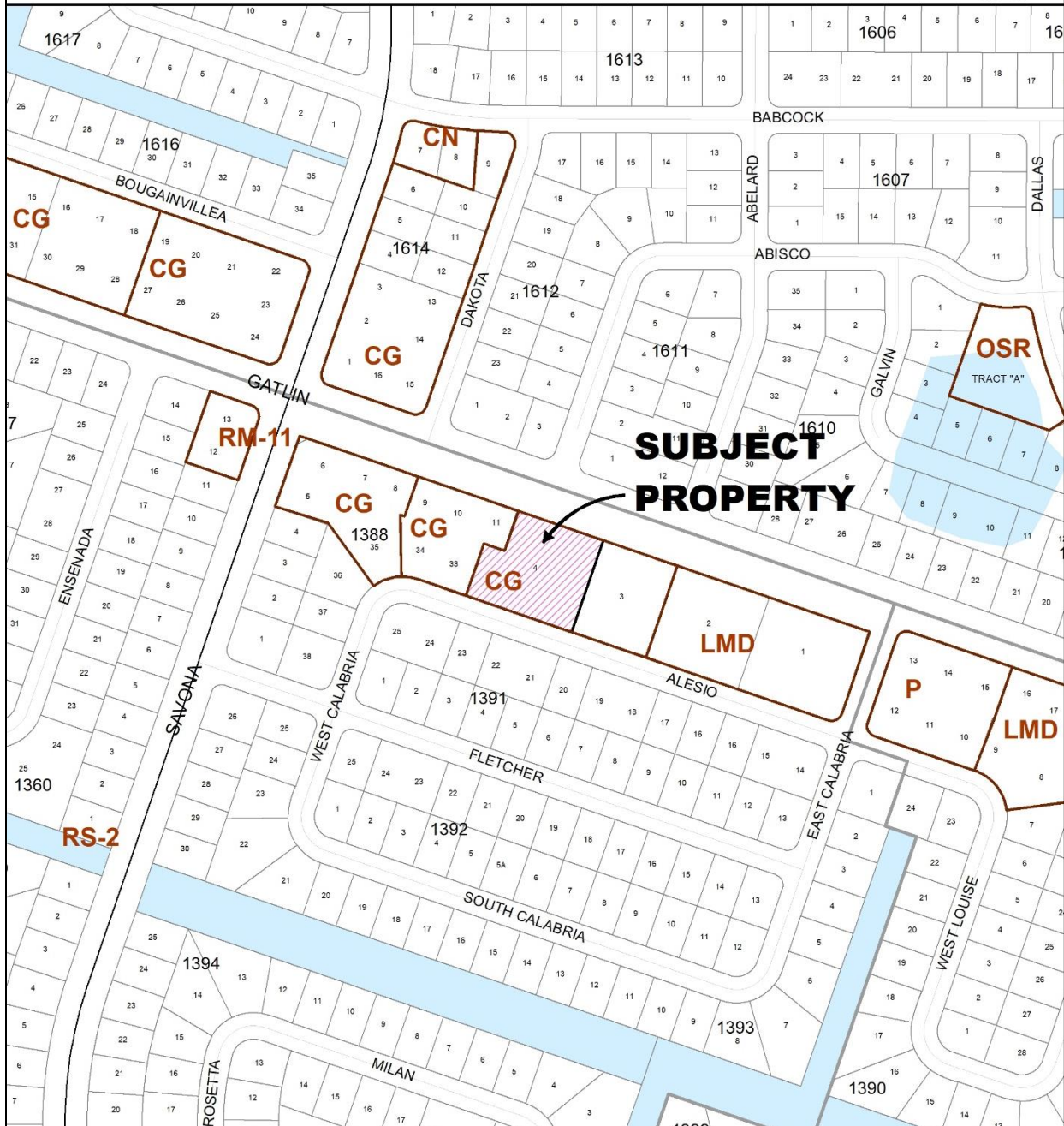
|                    |   |
|--------------------|---|
| Parcel Number(s):  | 4313-500-0004-000-6   |
| Property Size:     | 1.17 acres  |
| Legal Description: | Gatlin Pointe Lot 4 (OR Book 114 Page 27)   |
| Future Land Use:   | CG (General Commercial)   |
| Zoning:            | CG (General Commercial)   |
| Proposed Use:      | Commercial shopping center with drive- through service, and one (1) menu board for ordering |

**Surrounding Uses**

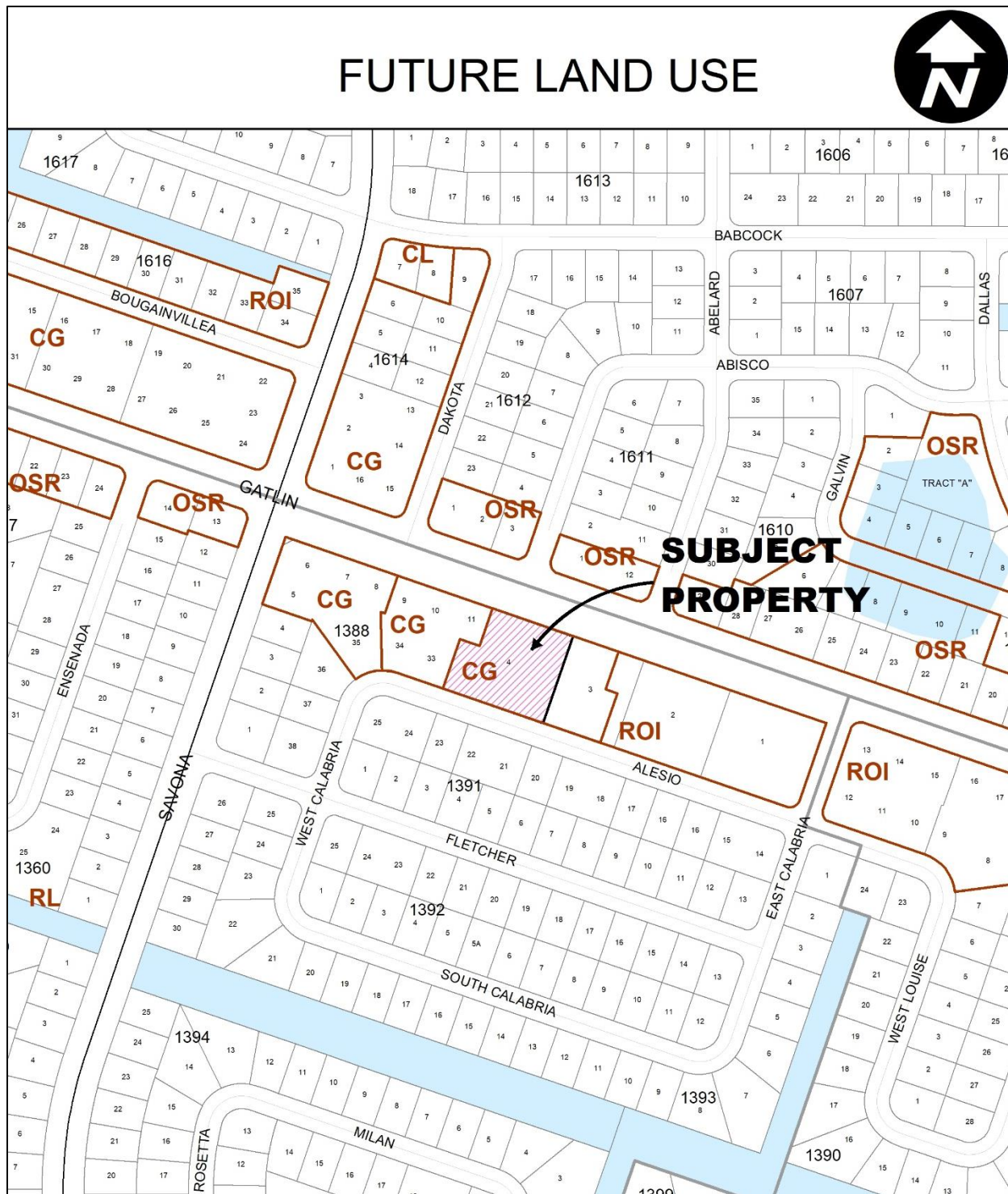
| <b>Direction</b> | <b>Future Land Use</b> | <b>Zoning</b> | <b>Existing Use</b>                  |
|------------------|------------------------|---------------|--------------------------------------|
| North            | OSR                    | RS-2          | Open Space, Single-Family Residences |
| South            | RL                     | RS-2          | Single-Family Residences             |
| East             | CG                     | CG            | Commercial Shopper Center            |
| West             | CG                     | CG            | Commercial Shopping Center           |

OSR – Recreation Open Space, RL- Low-Density Residential; RS-2 – Single-Family Residential, CG – General Commercial

# EXISTING ZONING



Zoning Map



Future Land Use 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 menu board will serve one of the previously approved drive-through lanes. A queuing analysis confirmed the lane length and design will prevent interference with site circulation and maintain adequate ingress and egress.

A stacking analysis was provided that shows that the proposed two drive-through lanes and one menu board are of sufficient length to not interfere with traffic circulation and parking. The queuing analysis determined that a seven (7) car queue length from the pickup window would be appropriate. This development proposes a 160-foot drive long thru lane at each restaurant, sufficient to accommodate a minimum of eight (8) vehicles in each lane. Traffic should not adversely affect the transportation level of service for adjacent roads.

(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: The addition of a single menu board does not affect parking or loading areas. The existing site design meets zoning requirements and includes adequate screening to mitigate impacts on surrounding properties. The overall project site will require 178 parking spaces, of which 6 are required to be ADA accessible. 180 parking spaces are provided, of which 8 are ADA-compliant stalls. The project includes an 8-foot-high architectural wall within the 10-foot landscape buffer between the development and the surrounding properties to the south.

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

- Staff findings: Port St. Lucie is the provider of utilities for the proposed project. The Gatlin Pointe Phase I and Phase II projects extended the City's 8" water main along SW East Calabria Circle across the front of the project along SW Gatlin Blvd and loops the system to an existing water main along Alesio Lane. Sanitary sewer has been provided for the entire project.

(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 menu board is internal to the site and will not impact existing buffers. Required screening and enhanced separation from residential uses are already provided and remain unchanged. The site is adjacent to commercial properties to the east and west, and residential to the south. Several measures have been incorporated to provide buffering and screening beyond the minimum code requirements, particularly along the southern property line that adjoins residential uses. The site plan strategically places the stormwater

management pond at the rear of the property, which adds approximately 18 to 20 feet of additional separation beyond the required 10-foot landscape buffer. Furthermore, a continuous wall. Lastly, the drive-through windows do not face a street; therefore, no additional buffering is required for the windows.

(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 exterior lighting shall be in conformance with Section 158.221 of the City Zoning Code and all signage shall be in accordance with Chapter 155 of the City Sign Code.

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

- Staff findings: No changes to yards or open spaces are proposed as part of this request. The addition of one menu board does not affect conformance with required setbacks or landscape design. Front, side, and rear yard building setbacks that conform with the General Commercial (CG) zoning district have been met. Landscape yards and open spaces were designed to adequately serve the development by providing sufficient exposure to the public right-of-way (Gatlin Boulevard) but also screening the proposed development from the adjoining residential uses. The project includes a continuous 8-foot-high architectural wall that serves as a buffer between this commercial use and the adjacent residential property.

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

- Staff findings: The proposed menu board is consistent with zoning regulations and follows the prior SEU approval. This request only modifies a condition to allow one menu board at an approved drive-through. No variances or waivers are being requested along with this application. Restaurants are a permitted use in the General Commercial (CG) zoning district upon approval of a special exception use. The drive through lanes were previously approved. This application is to add one menu board to serve the future tenant of the end unit 104.

(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: Allowing one menu board will not adversely impact public health, safety, or convenience. The change is minimal and consistent with commercial use standards. 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.

- Staff findings: The single menu board will not increase traffic, noise, or visual impact beyond what was previously reviewed and approved for the site. The proposed drive-throughs are in an area designated for commercial development. The commercial space will operate during regular business hours.

(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: The site has been reviewed and approved for two drive-throughs. The addition of one menu board is compatible with the commercial context and will not negatively impact surrounding properties. Stacking and traffic impacts have been evaluated and found acceptable.

(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.

- 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.

- a) Staff findings: Acknowledged.

#### **Public Works - Traffic Analysis, Drive-Through Queuing**

This application and Drive-thru queueing analysis prepared by MacKenzie Engineering & Planning, Inc. dated January 13, 2025 has been reviewed by the Public Works Department and the transportation elements of the project were found to be in compliance with the adopted level of service and requirements of Chapter 156 of City Code, and Public Works Policy 19-01pwd.

### **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

#### **If approved, staff recommends the following condition of approval:**

- 1. A menu board is permitted only in the westernmost drive-through lane. Any proposal to add a menu board to the easternmost lane shall require City Council review and approval through an amendment to the special exception use, including evaluation of traffic impacts.**

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.