



**Southern Groves-Shoppes at the Heart
 Variance (Sign)
 Project No. P24-220**



SUMMARY

Applicant's Request:	A variance request to reallocate sign square-footage within a development.
Application Type:	Variance, Quasi-Judicial
Applicant:	Steve Garrett, Lucido and Associates
Property Owner:	PEBB Tradition SG3, LLC
Location:	Southwest corner of SW Village Parkway and Discovery Way.
Project Planner:	Marissa Da Breo-Latchman, Environmental Planner II

Project Description

The City of Port St. Lucie has received a request from Steve Garrett, Lucido & Associates, agent for the property owner, PEBB Tradition SG3, LLC, to grant a variance from the Tradition Master Sign Program (7th amendment) to reallocate sign square-footage within a parcel. The Tradition Master Sign Program does not address the reallocation of allowed sign square footage. Section 155.08(G) of the City's Sign Code allows for the combination of sign area on parcel that meets certain criteria up to a maximum area of 60SF. The property has three (3) ingress/egress points, one along SW Discovery Way and one (1) along SW Community Boulevard and one (1) along SW Village Parkway. The applicant is requesting a variance to reallocate sign square footage from the ingress/egress points along SW Community Boulevard and SW Village Parkway to the monument sign located at the entrance along SW Discovery Way. No increase in sign square footage is proposed.

The property is legally described as Shoppes at the Heart Parcel 1, Shoppes at the Heart Parcel 2 and Shoppes at the Heart Commercial Parcel according to the map or plat thereof as recorded in the Plat Book 108, Page 29, Public Records of St. Lucie County, Florida.

Background

The Site Plan was approved by the City Council on June 28, 2023, and the site is under construction. Per the Tradition Master Sign Program, all three (3) proposed monument signs can have 64 SF of sign area each for a total of 192 SF. The applicant is proposing to have 96 SF of signage assigned to the monument sign at the main entrance along SW Discovery Way and 48 SF each to the monument signs along SW Village Parkway and Community Boulevard, for a total of 192 SF.

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 (Section 158.298 (B))

Public notice was mailed to owners within 750 feet on December 20, 2024, and the file was included in the ad for the Planning & Zoning Board's agenda.

Location and Site Information

Parcel Number:	4315-710-0002-000-3, 4315-710-0003-000-0, 4315-710-0001-000-6
Property Size:	15.24 acres
Legal Description:	Shoppes at the Heart (PB 108-29) Parcel 1 (1.486 AC - 64,730 SF) Shoppes at the Heart (PB 108-29) Parcel 2 (1.037 AC - 45,172 SF) Shoppes at the Heart (PB 108-29) Commercial Parcel (10.435 AC - 454,549 SF)
Address:	10170 SW Discovery Way
Future Land Use:	NCD
Existing Zoning:	MPUD (Master Planned unit Development)
Existing Use:	Commercial Development (Under construction)

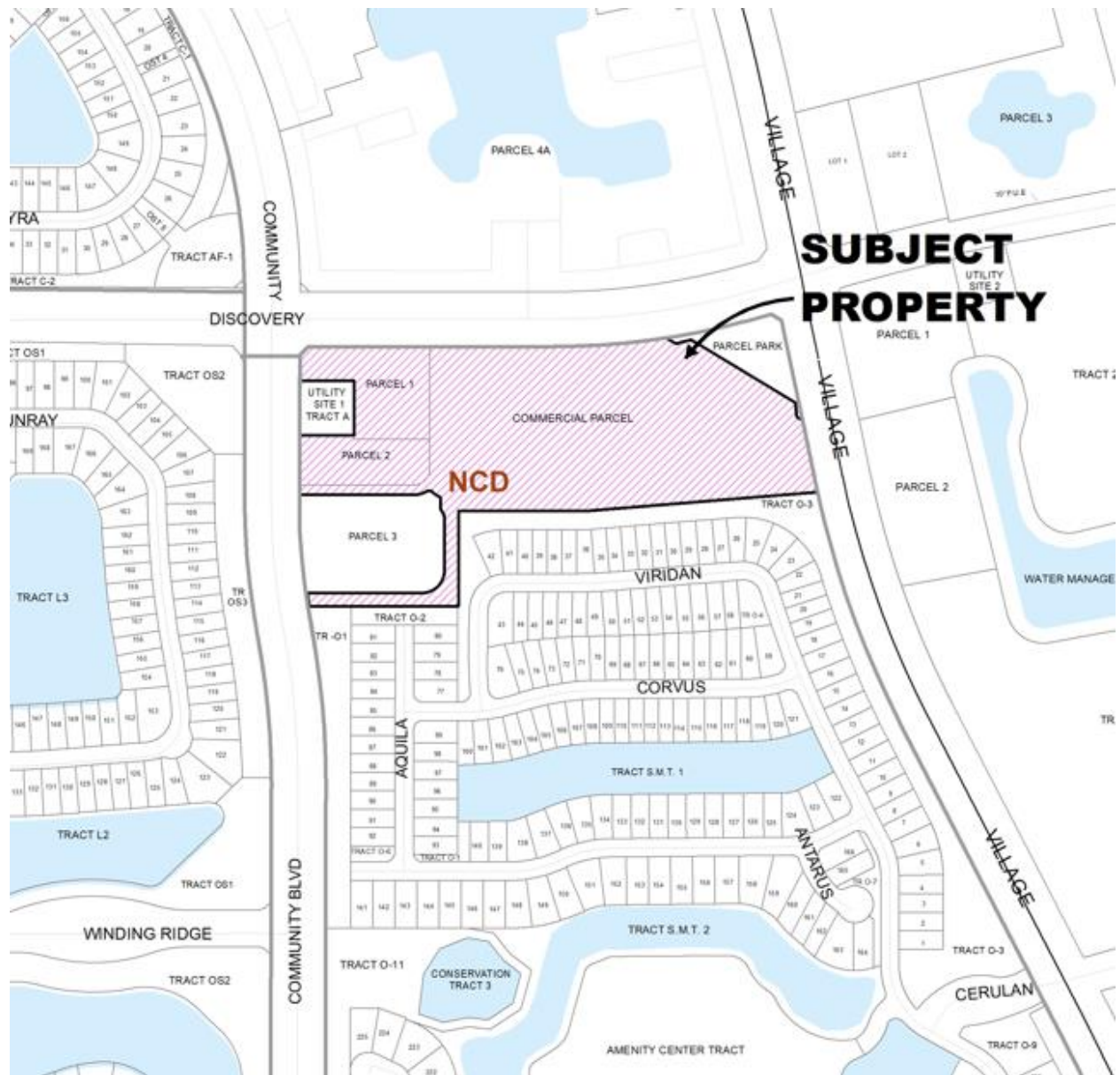
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	NCD	MPUD	SW Discovery Way, multi-family Residential
South	NCD	MPUD	Single-family Residential
East	NCD	MPUD	SW Village Parkway, Commercial Use
West	NCD	MPUD	Vacant parcels, SW Community Blvd, single-family Residential

NCD-New Community Development, MPUD-Master Planned Unit Development



Zoning Map



Future Land Use 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 a 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 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) of the Zoning Code. The applicant's response to this criterion is attached to the application. Staff's review is provided below:

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.
 - *Applicant's Response: The governing document, Tradition Master Sign Program, does not provide for the ability of reallocation of square footage as does the City of Port St. Lucie Code. It simply does not address this and provide for it where as other properties within the City of Port St. Lucie are afforded this ability.*
 - *Staff Findings: Special Conditions and circumstances do exist that are peculiar to the subject property. This subject property has the Heart Sculpture which is not a retail shop, but is essentially another use and an attraction that may draw visitors and could benefit from signage to direct those visitors. All signs within Tradition, Western Grove and Southern Grove are governed by the Tradition Master Sign Program, 7th amendment. The Master Sign Program does not allow for the reallocation of allowed sign square-footage. Chapter 155.08 (G) of the City's Zoning Code allows sign square footage to be combined if certain criteria are met not reallocated.*
- 2) That the special conditions and circumstances do not result from any action of the applicant.
 - *Applicant's Response: These conditions and circumstances do not result from actions by the applicant.*
 - *Staff Findings: Special conditions and circumstances do not result from any action of the applicant. The MSP provides for one (1) monument sign per entry with 64 SF of sign area.*
- 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.
 - *Applicant's Response: Granting of the variance will not confer on the applicant special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district.*
 - *Staff Findings: The granting of this variance request will confer special privilege that is denied by this chapter to other lands in the same zoning district, but it is the only property in the district with a large scale sculpture installation. The Traditional Master Sign Program does not allow reallocation of the sign square footage.*

- 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.
- *Applicant's Response: The literal interpretation would deprive the applicant of the ability to reallocate sign square footage that other properties currently have within the same district. The hardship that exists is specific to the Tradition Master Sign Program NOT including or providing language for a similar allowance.*
 - *Staff Findings: The Tradition Master Sign Program does not allow reallocation of sign square footage.*
- 5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- *Applicant's Response: The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structure (signage) in that we are proposing to reduce the proposed square-footage of two monument signs to be located on two major roadways while increasing the square footage on one roadway. This provides for a reduction in overall sign "clutter" on two roads while providing for the increased square-footage on one sign and where that signage is functionally needed.*
 - *Staff Findings: Per the Tradition Master Sign Program, the parcel is allowed 64SF of sign square footage at each of the proposed three (3) proposed monument sign locations for a total of 192SF. The proposed reallocation would assign more sign area to the monument sign at the main entrance along SW Discovery Way. No increase in total sign area for this plaza is proposed.*
- 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.
- *Applicant's Response: This provides for a reduction in overall sign "clutter" on two roads while providing for the increased square-footage on one sign and where that signage is functionally needed.*
 - *Staff Findings: The granting of the variance would not be injurious to the area involved or otherwise detrimental to the public welfare. The Tradition Master Sign Program does not allow reallocation of sign square footage. The proposed reallocation of the sign square footage would result in an increase in the area of one sign and a corresponding decrease in the two other monument signs at the plaza, in a logical manner to best meet the needs of the plaza and the public.*
- 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.
- *Applicant's Response: Applicant agrees that there will be full compliance with any additional conditions and safeguards which the Planning & Zoning Board or Zoning Administrator may prescribe.*

- 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 make a:

- 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 make a:

- Motion to deny

Should the Board need further clarification or information from either the applicant and/or staff, the Board may make a:

- 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).