

**BLUEKEY  
SPECIAL EXCEPTION USE APPLICATION  
November 1, 2021**

**REQUEST**

On behalf of the Petitioner, Engineering Design & Construction, Inc. is requesting approval of two (2) Special Exceptions which would allow for 100% retail and for a single tenant over 5,000 sf to the subject properties for a project known as the Bluekey. The applicant submitted an application under separate cover to rezone the ten (10) properties to Limited Mixed Use (LMD). The property is generally located on the north side of SW Port St. Lucie Boulevard and west of SW Chestnut Lane in Port St. Lucie, Florida.

**SITE CHARACTERISTICS & PROJECT HISTORY**

The subject properties are located on the north side of SW Port St. Lucie Boulevard, approximately 165 feet west of SW Chestnut Lane. The subject properties are comprised of approximately 2.296 acres and are currently undeveloped. The parcels associated with this request are noted below:

Parcel ID	Parcel Number	Future Land Use	Zoning
3420-540-1621-000-4	Lot 3	ROI	Professional
3420-540-1622-000-1	Lot 4	ROI	Professional
3420-540-1623-000-8	Lot 5	ROI	SF Residential
3420-540-1624-000-5	Lot 6	ROI	SF Residential
3420-540-1625-000-2	Lot 7	ROI	SF Residential
3420-540-1642-000-7	Lot 24	ROI	SF Residential
3420-540-1643-000-4	Lot 25	ROI	SF Residential
3420-540-1644-000-1	Lot 26	ROI	SF Residential
3420-540-1645-000-8	Lot 27	ROI	Professional
3420-540-1646-000-5	Lot 28	ROI	Professional

The subject parcels have an existing Future Land Use designation of Residential, Office, Institutional (ROI) and have two (2) zoning designations. Parcels 3, 4, 27 and 28 have an existing Zoning designation of Professional whereas Parcels 5, 6, 7, 24, 25 and 26 have a Zoning designation of Single Family Residential. The applicant is proposing to rezone the property to Limited Mixed Use Zoning District (LMD).

**SPECIAL EXCEPTIONS**

The applicant is submitting a special exception application associated with the above noted parcels. They include:

- 1) SEU to allow for 100% retail;
- 2) SEU to allow for a single tenant over 5,000 sf.

Section 158.155(C) of the City of Port St. Lucie Land Development Code outlines uses within the Limited Mixed Use Zoning designation which are considered a special exception use:

The first SEU is for approval of a retail or personal service use, exceeding fifty percent (50%) of

the building's gross floor area, conducted wholly within an enclosed building, including the retail sales of beer and wine for off and incidental on premises consumption in accordance with Chapter 110, but not including convenience / gas sales. The conceptual plan required under Section 158.155(M)(1)(c) shall specify those areas of the building to be used for retail uses.

**RESPONSE: The applicant wishes to obtain approval to allow for retail or personal service uses for the proposed 22,168 sf commercial building.**

The second SEU is for approval of any use exceeding five thousand (5,000) square feet.

**RESPONSE: The proposed commercial building totals 22,168 sf. This use exceeds the 5,000-sf allowed under permitted uses. Due to this, the applicant is requesting approval to allow for a use that totals 22,168 sf.**

Section 158.260 of the City of Port St. Lucie states: Approval of a special exception application shall be granted by the City Council only upon a finding that:

- 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.

**RESPONSE: The proposed development includes two (2) access driveways off of Port St. Lucie Boulevard. The driveways meet the minimum requirements of the Port St. Lucie Land Development 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, loading areas, and adequate stacking may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

**RESPONSE: The proposed development meets the minimum parking and loading area requirements. The proposed development would not create undue noise, glare, odor, or other detrimental effects to the adjacent properties.**

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

**RESPONSE: The proposed development will be served by PSLUSD. The applicant is proposing a grinder station to serve the development. There are adequate facilities in the area to serve the 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.

**RESPONSE: The proposed development is adjacent to residential parcels to the north. The required landscape buffers will be met and an 8' high opaque fence / wall is proposed at the northern property line adjacent to the residential uses. We feel adequate screening and buffering is being proposed.**

- 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.

**RESPONSE: Signage locations and photometric plans will be submitted as part of the site plan review process and will meet the minimum requirements of the City of Port St.**

**Lucie Land Development Code to ensure no adverse effects to adjacent properties and to ensure traffic safety.**

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

**RESPONSE: At the time of site plan application, required yard and open space will be depicted on the site plan and will meet the minimum requirements of the City of Port St. Lucie Land Development Code.**

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

**RESPONSE: The proposed use does conform with the stated provisions and requirements of this chapter.**

- 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.

**RESPONSE: The proposed use will not impair the health, safety, welfare or convenience of residents and workers in 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. The City may require certain uses such as car washes, gas stations, and other potential noise generating uses submit a noise impact analysis prepared by a qualified professional.

**RESPONSE: The proposed development is located adjacent to Port St. Lucie Boulevard. Access to the development is proposed from Port St. Lucie Boulevard only alleviating concerns with vehicular movements to adjacent residential properties. The proposed uses would not create undue noise.**

- 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, changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood. To minimize exposure to excessive noise, the City may require noise control features, limit hours of operation, and other mitigation methods.

**RESPONSE: The proposed development is adjacent to Port St. Lucie Boulevard which is located in the ROI Future Land Use designation. The Future Land Use Element defines the ROI FLU Designation a mixed-use category to serve development along major corridors as transitional land uses between more intensive commercial areas. The proposed use is compatible to adjacent 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.

**RESPONSE: Acknowledged. This development includes a total of ten (10) parcels. Each parcel as it currently stands would allow for the development of a 5,000-sf building or a total of 50,000 sf. The applicant would be required to unify the ten (10) lots as part of the site plan review process and is proposing 22,168 sf commercial buildings which is greatly reduced from the square footage that would be allowed if each parcel developed independently.**

- 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.

**RESPONSE: Acknowledged.**

To the north of the subject properties lies the Right-of-Way of SW Seagull Terrace followed by residential parcels. These residential parcels have a Future Land Use designation of Low Density Residential (RL) and an underlying Zoning designation of Single Family Residential.

To the west of the subject parcels lies an undeveloped parcel. This parcel has a Future Land Use designation of Residential, Office, Institutional (ROI) and underlying Zoning designation of Limited Mixed-Use District (LMD).

South of the subject parcels lies the Right-of-Way of SW Port St. Lucie Boulevard. Southwest of the Right-of-Way are undeveloped residential parcels. These parcels have a Future Land Use designation of Residential, Office, Institutional (ROI) and an underlying Zoning designation of Single Family Residential. The parcels located southeast of the Right-of-Way have a Future Land Use designation of Residential, Office, Institutional (ROI) and are located in the Institutional (I) Zoning designation.

To the east of the subject properties are undeveloped parcels. These parcels have a Future Land Use designation of Residential, Office, Institutional (ROI) and have an underlying Zoning designation of Professional (P).

**Based on the above justification and attached information, the Petitioner respectfully requests approval of the requested application.**

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