

**Darwin Square - Pollo Tropical – Drive Through
Special Exception Use
P26-025**



Project Location Map

SUMMARY

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|----------------------------|---|
| Applicant's Request: | The request is for approval of a Special Exception Use (SEU) to allow a standalone restaurant with drive-through service lanes in the General Commercial (CG) Zoning District, per Section 158.124(C)(14) of the Zoning Code. |
| Agent(s): | Daryl Johnson, Corporate Property Services, Inc. |
| Applicant/ Property Owner: | PSL Darwin LLC |
| Location: | The property is located near the southeast corner of SW Darwin Boulevard and SW Port St. Lucie Boulevard. |
| Project Planner: | Cody Sisk, Planner III |

Project Description

The City of Port St. Lucie has received a request from Daryl Johnson with Corporate Property Services, Inc, agent for the property owner, PSL Darwin LLC, for a special exception to allow a standalone restaurant with drive-through service lanes in the General Commercial (CG) zoning district per Section 158.124(C)(14) of the Zoning Code. The proposed restaurant would be a total of 2,841 square feet. The use of a drive-through facility would limit the number of parking spaces on site to the 20 parking spaces. The proposed drive-through services will be located on the east and south side of the building as to not overlap uses and traffic lines, to create a more uniform site circulation and comply with the City’s development regulations. The proposed uses would provide queueing lengths of 13 cars and will not front on a street.

The Subject property is zoning General Commercial (CG) and consists of a bank building. Kimley-Horn and associates has provided a parking statement that states the on-site parking demand justifies the relief from the City’s parking requirements.

In addition to this application, there is a companion application that was approved at the June 2, 2026 Planning and Zoning Board meeting for a variance (P26-023) to reduce the number of parking spaces required by 18 spaces, from a total of 38 spaces to 20 spaces. Per Section 158.221 (C)(15) of the City’s Land Development Regulations states that stand alone restaurants shall be parked at 1 space per 75 square feet of gross floor area.

Public Notice Requirements (Section 158.298 (B))

Public notice was mailed to owners within 750 feet and the file was included in the ad for the Planning & Zoning Board’s agenda.

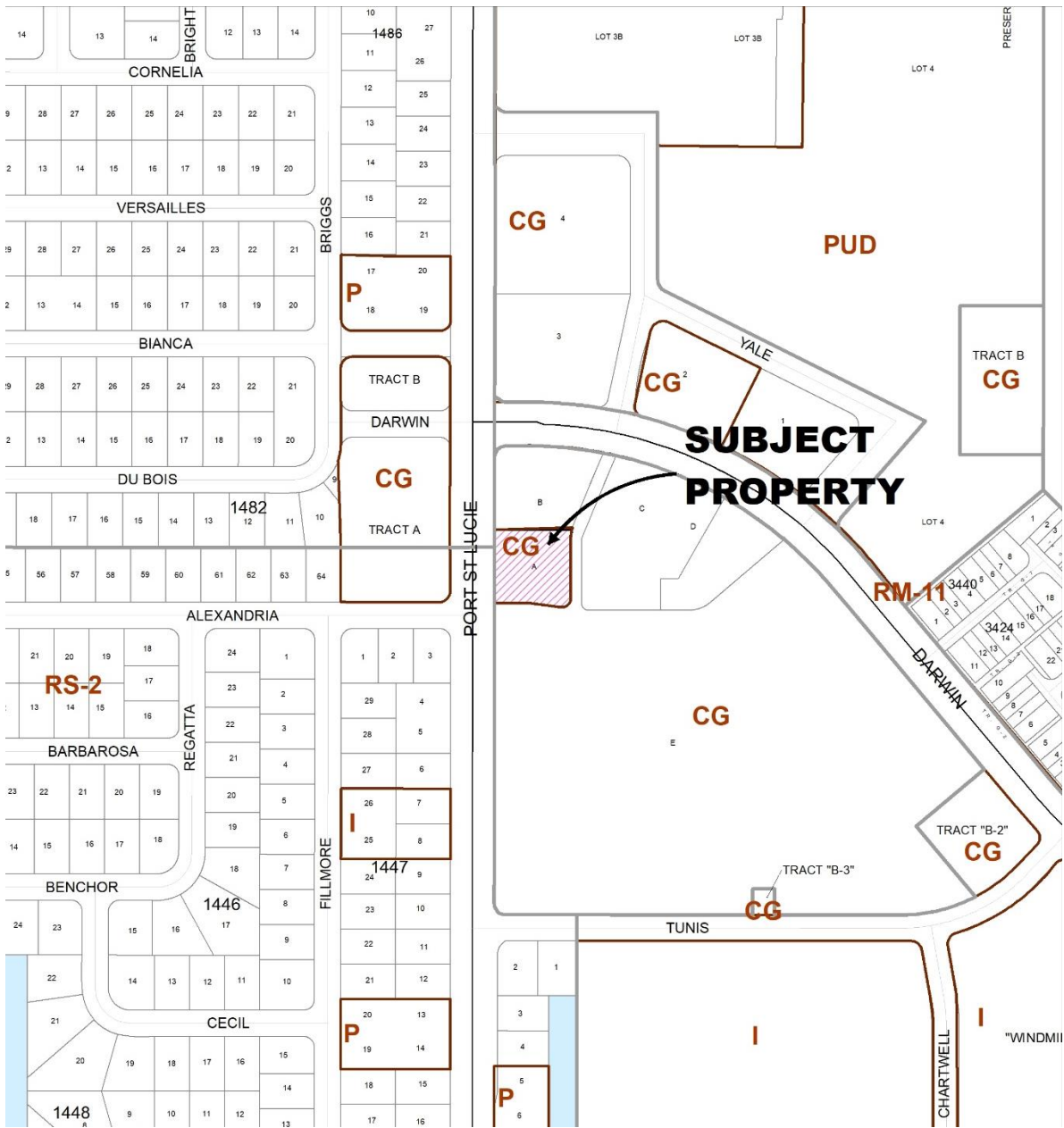
Location and Site Information

| | |
|---------------------------|---------------------|
| Parcel ID No(s). | 3420-713-0001-000-5 |
| Property Size: | 0-69 Acres |
| Legal Description: | Darwin Square Lot A |
| Existing Future Land Use: | General Commercial |
| Existing Zoning: | General Commercial |
| Existing Use: | Vacant Bank |

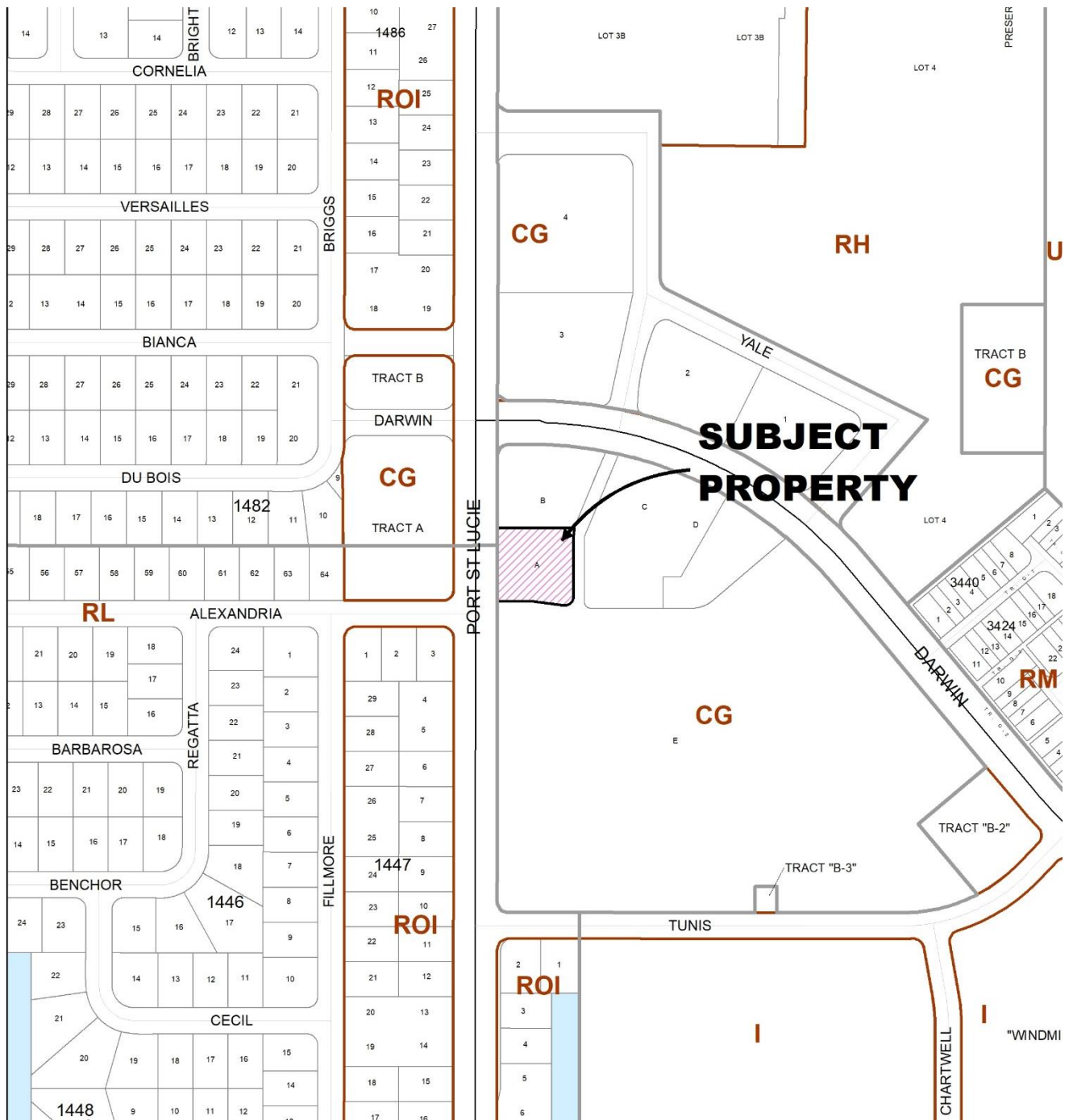
Surrounding Uses

| Direction | Future Land Use | Zoning | Existing Use |
|-----------|-----------------|--------|-----------------|
| North | CG | CG | McDonalds |
| South | CG | CG | Commercial Uses |
| East | CG | CG | Commercial Uses |
| West | CG | CG | Gas Station |

CG: General Commercial



Zoning Map



Future Land Use

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: Vehicular access to the proposed Pollo Tropical restaurant will be provided via three of the existing access connection points located at the northwest corner, the northeast corner and the southwest corner of the site. The existing access point at the southeast corner of the site will be closed to provide the drive-thru for the restaurant. There is an ADA pedestrian connection from the building to the sidewalk adjacent to Port St Lucie Boulevard. Pavement markings and signage are also provided throughout the site to ensure safe site circulation between motor vehicles and pedestrians.
 - Staff findings: Adequate ingress and egress will be provided at two locations for this development. The first access point will be along the north side of the site and the second access point being will be on the south side. The Concept Plan was reviewed by the Public Works Department. A stacking analysis was provided that shows the proposed drive-through lanes are of sufficient length to not interfere with traffic circulation and parking. Traffic should not adversely affect the transportation level of service for adjacent roads. See attached Public Works Traffic Memo.
- (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: The off-street parking and loading areas will not create undue noise, glare, odor or detrimental effects upon adjoining properties. The site is located within a commercial shopping center adjacent to other commercial uses and is adjacent to a busy highway, which also accommodates vehicular traffic and loading areas. Pollo Tropical will provide heavily landscaped buffers, which creates a green screen to shield adjoining properties and the right-of-way. The trash enclosure is setback away from the adjoining properties and is located at the rear of the property and will be concealed by landscaping and opaque gates. Loading will occur during hours when the restaurant is closed. There will be no undue odor to the adjoining properties.
 - Staff findings: According to the City Zoning Code, Section 158.221(C), the shopping center use requires 1 space per each 75 square feet of gross floor area. The approved variance reduced the number of parking spaces required by 18 spaces, from a total of 38 spaces to 20 spaces. Parking is provided along the western portion of the site and is not expected to have any detrimental effects upon adjoining properties.
- (C) Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

- Applicant's Response: The development scope includes site grading, erosion control, and the installation of utilities such as water, sewer, stormwater management systems, and electrical power. All utilities that were available to the bank will be available to Pollo Tropical. Stormwater from the new development will be directed to four proposed inlets, which will then connect to the existing on-site stormwater utility structure that discharges offsite. The proposed stormwater design aligns with the purpose and intent of the original study, which concluded the development would not negatively impact downstream properties. Water, sewer and drainage will be coordinated with the utility providers to ensure they are properly located and installed per the standards of the City of Port St. Lucie and SFWMD. An FPL electrical transformer is proposed along the east property line and will be installed pursuant to FPL's standards. The transformer will be concealed by landscaping on three sides, allowing FPL to access it on one side.
 - Staff findings: Port St. Lucie will be the provider of utilities for the proposed project. Existing and planned facilities are available to serve the area.
- (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: Pollo Tropical is proposing additional landscaping along the perimeter of the site that will provide screening, as well as environmental benefits to the adjoining properties, as it is compatible and enhances the aesthetic appeal. The development will be enhanced with new trees, hedges, shrubs, groundcover and ornamental grasses. ~~Landscaping will meet and/or exceed~~ code requirements and bring a new vibrant look to the parcel.
 - Staff findings: The site is adjacent to commercial properties surrounding the area. The Conceptual Landscape Plan meets the City's Landscape Code requirements, while buffering is meeting what is required by the code.
- (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: The proposed site lighting will not result in glare to motorists on either adjacent right-of-way. The building wall signage is very minimal and will cause no undue glare to motorists. Menu board signs are very minimal in size and will not be visible from either roadway, as they are only intended to assist customers in the drive thru and are not designed to attract customers. All site signage and site lighting will comply with the Land Development Code and will minimize all undue glare, disharmony and/or incompatibility with adjoining properties or motorists.
 - 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.
- Applicant's Response: The proposed setbacks and open space within the Pollo Tropical development ensure consistency and compatibility with the adjoining properties; therefore, providing harmony. The landscape design incorporates enhanced yards and open spaces, with new trees, hedges, shrubs, groundcover and ornamental grass, which will improve the aesthetic appeal of the proposed development, while at the same time ensuring compatibility with the adjacent properties.

- Staff findings: Front, side, and rear yard building setbacks that conform with the General Commercial (CG) zoning district have been provided to ensure compatibility with adjoining properties

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

- Applicant's Response: All design elements of the project will comply with or exceed the Land Development Regulations, and will be consistent with the adjoining, similar commercial uses developed within the same zoning district.
- Staff findings: Restaurants are a permitted use in the General Commercial (CG) zoning district. Drive-through service lanes associated with any permitted use require approval of a Special Exception Use and shall conform to all provisions of the Zoning Code. The drive-through windows do not face a street; therefore, no additional buffering is required for the windows.

(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: Pollo Tropical is a community-based restaurant that promotes safety and welfare of its customers and employees. The establishment will offer employment opportunities for the residents of Port St. Lucie, as well as an affordable lunch and dinner dining option for the residents. In addition, the use will increase the tax base.
- 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: The proposed use will not constitute a nuisance or hazard as the hours of operation are 10 AM to midnight, which are the same as other Pollo Tropical restaurants in the City. Vehicular movements to enter or exit the site will not create any noise or fume generation that will be detrimental to the City, any more than other similar restaurants or commercial uses within Port St. Lucie.
- Staff findings: The proposed drive-throughs are in an area designated for commercial development. This intent will not constitute a nuisance or hazard as all the activity will be centered along the back of the building which will provide sufficient separation and screening. The commercial space will operate during regular business hours, with no early openings or late hours anticipated. No on-site generators or any other fume-generating or noise-generating equipment is proposed.

(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: The proposed development is compatible with the existing and permitted uses of the adjacent property owners as the scale of this use is similar to adjoining properties, is aesthetically pleasing and will provide a continuous positive impact. The previous bank building was a positive and compatible use with the adjacent properties and Pollo Tropical will also be a great community partner and a compatible neighbor to the adjacent properties

- Staff findings: The proposed drive-through service is in an area designated for commercial development. The site is adjacent to commercial properties surrounding the area. The proposed use for this development is compatible with the permitted uses of adjacent properties per code. The proposed project will be designed to comply with the City’s Land Development Code and Citywide Design Standards to ensure compatibility with light and noise generation. The size, height, and character of the proposed development is in harmony with existing and proposed development in the area.
- (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: Acknowledged.
 - 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: The proposed restaurant development and operation will be in compliance with any additional conditions and safeguards the City Council may prescribe at the hearing.
 - Staff findings: Acknowledged.

Related Projects

P26-023 – Pollo Tropical – Darwin Plaza – Variance

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.