

**Andrews-David, Joann, Margaret - Children's Gym**  
**Special Exception Use**  
**P25-197**



**Project Location Map**

**SUMMARY**

|                      |                                                                                                                                                                      |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant's Request: | The request is for a Special Exception Use (SEU) to permit 7,114.78 square feet of enclosed assembly space as part of a proposed recreational facility for children. |
| Applicant:           | Marie Rogers                                                                                                                                                         |
| Property Owner:      | David D Andrews, Joann Andrews, and Margaret D Andrews c/o CVS                                                                                                       |
| Location:            | West of S US Highway 1 and north of SE Veterans Memorial Pkwy                                                                                                        |

|                  |                            |
|------------------|----------------------------|
| Project Planner: | Ivan Betancourt, Planner I |
|------------------|----------------------------|

**Project Description** The City of Port St. Lucie has received a request from Marie Rogers, the applicant, authorized by David D Andrews, Joann Andrews, and Margaret D Andrews c/o CVS, the property owners, to allow an enclosed assembly area over 3,000 square feet. The property is located at 9197 S US Highway 1. The property is zoned General Commercial (CG) and has a CG future land use designation. The property is located West of S US Highway 1 and north of SE Veterans Memorial Pkwy and is legally described as Walton Road Joint Venture, Lot 1.

Section 158.124(C), General Commercial (CG) Zoning District, requires enclosed assembly areas over 3,000 square feet, without an alcoholic beverage license for on-premises consumption, to apply for a special exception use. A special exception use (Resolution 03-R24) was approved in 2003 to allow the construction of a pharmacy with a drive-through window. The site previously operated as an CVS but is now vacant. The proposed recreational facility consists of a 5,801.78-square-foot open activity area, along with a toddler area, attending area, reading areas 1 and 2, a calming room, and an arts and crafts room, for a total of 7,114.78 square feet of enclosed assembly space. These additional rooms are included in the enclosed assembly calculation due to the use of half-height interior walls. For reference, see the attached proposed floor plan. Given that the proposed enclosed assembly area exceeds 3,000 square feet, a new special exception use is required.

#### **Previous Actions**

March 24, 2003: The City Council granted a special exception use (P03-040) allowing the construction of a pharmacy with a drive-through window under Resolution 03-R24.

#### **Public Notice Requirements**

Notice of this request for a special exception use was mailed on January 22, 2026, to owners of property within a 750-foot radius of the subject property.

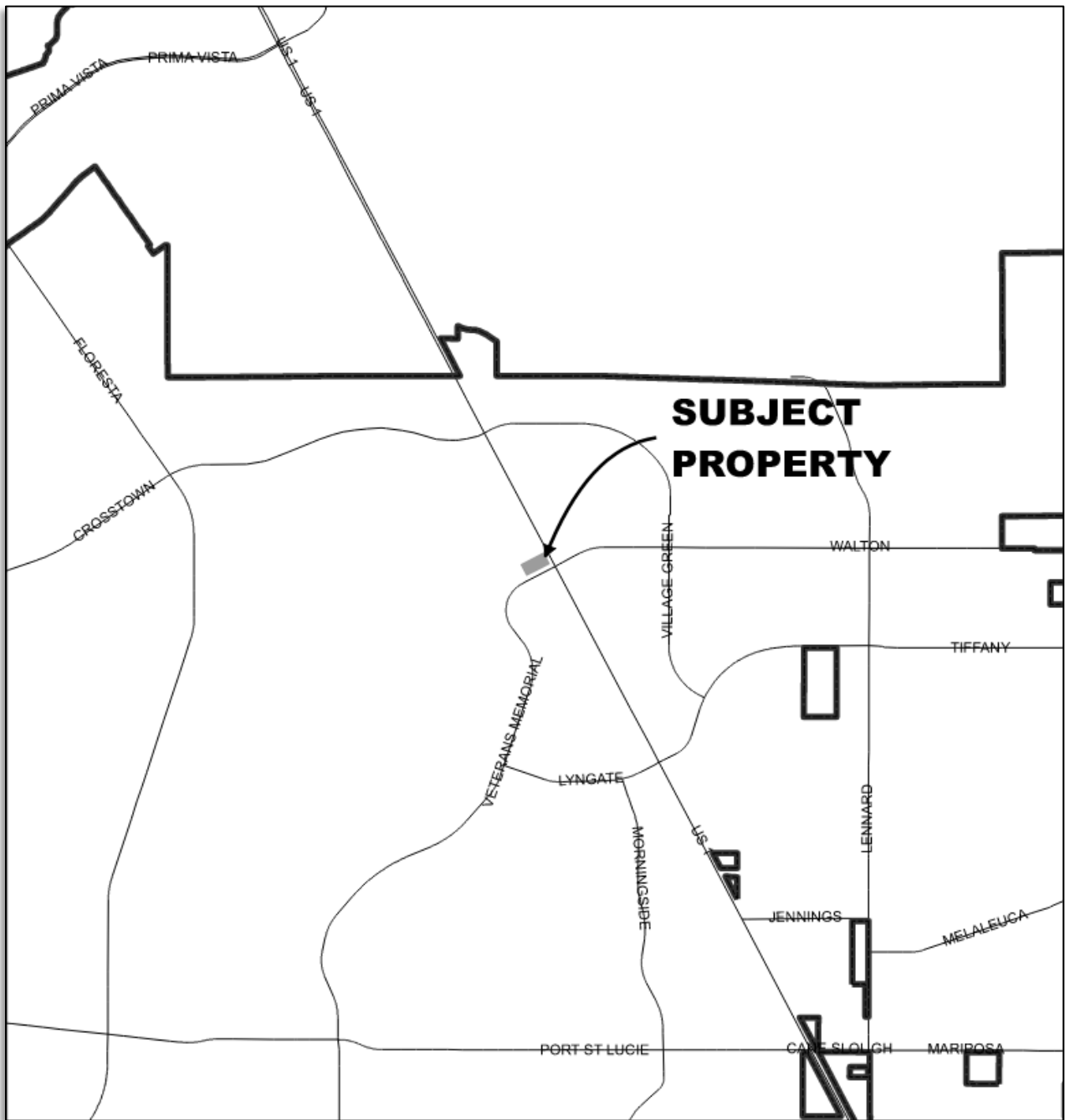
#### **Location and Site Information**

|                    |                                  |
|--------------------|----------------------------------|
| Parcel Number:     | 3435-801-0001-000-1              |
| Property Address:  | 9197 S US Highway 1              |
| Property Size:     | +/- 3.27 -acres                  |
| Legal Description: | Walton Road Joint Venture, Lot 1 |
| Future Land Use:   | General Commercial (CG)          |
| Existing Zoning:   | General Commercial (CG)          |
| Existing Use:      | Developed Site, Currently Vacant |

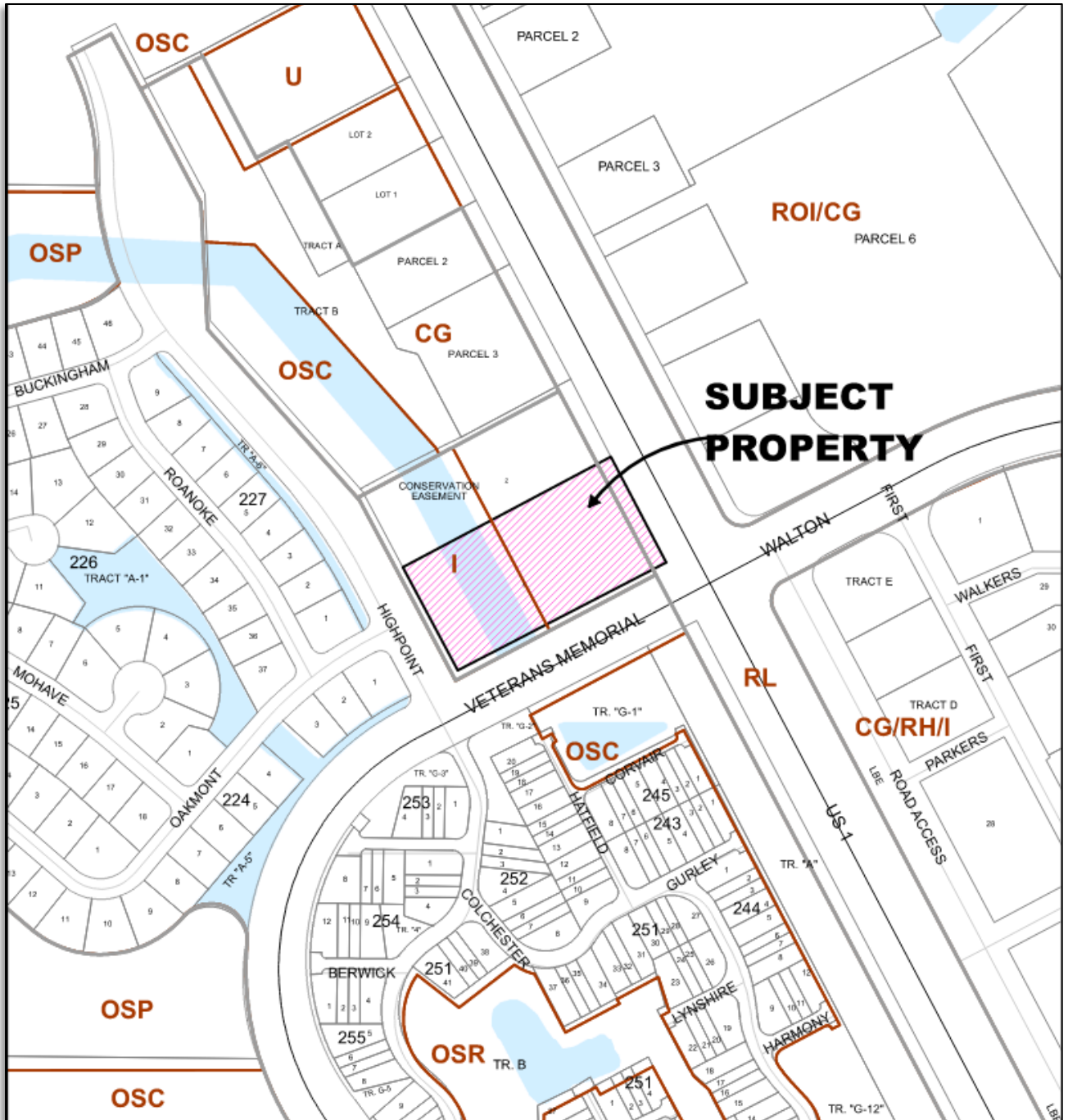
#### **Surrounding Uses**

| Direction | Future Land Use | Zoning     | Existing Use                                                         |
|-----------|-----------------|------------|----------------------------------------------------------------------|
| North     | CG              | CG         | Medical Center                                                       |
| South     | RL, OSC         | RS-2, RM-8 | 4-Lane Divided Highway, Multi-Family Residences and a Retention Pond |
| East      | RL, ROI/CG      | RS-2, CG   | 6-Lane Divided Highway, Shopping Center                              |
| West      | RL              | RS-2       | Single-Family Residences                                             |

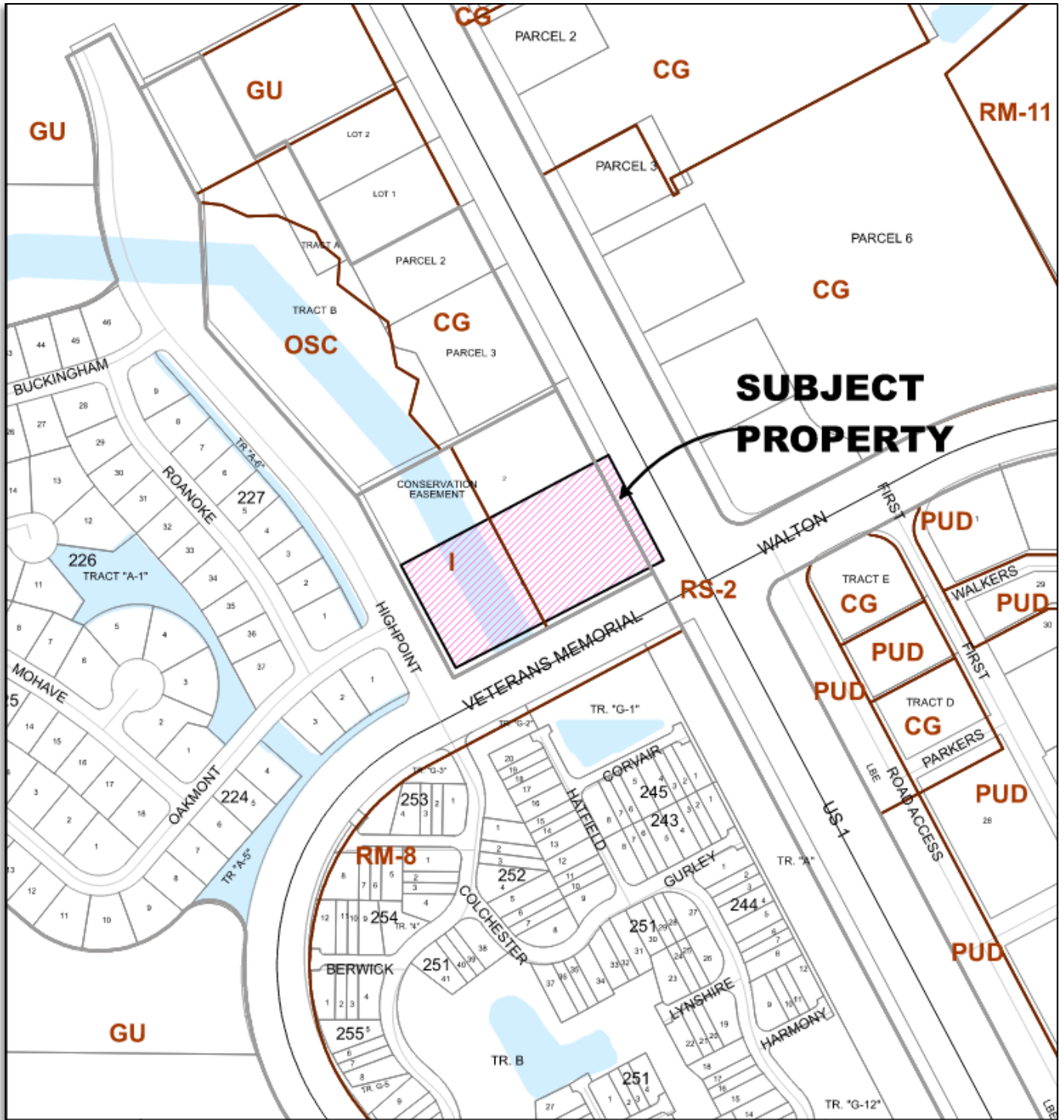
ROI-Reisidential, Offie, Institutional, OSC- Open Space Conservation, RL-Low Density Residential, RM-8-Multiple-Family Residential, CG-General Commercial , RS-2-Single-Family Residential,



**Location Map**



Land Use Map



Zoning Map

## PROJECT ANALYSIS

Special exceptions are uses that would only be allowed under certain conditions and are reviewed for compatibility 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 and Staff's review is 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:** *The property is an already developed stand-alone building with existing ingress & egress on S. US-1 and Veteran Memorial Pky. The enclosed assembly area of over 3000 sq.ft. will use the existing ingress and egress will be pedestrian will continue to enter the building safely from US-1 or SE Veteran Hwy. There will be no automotive or pedestrian traffic impact.*
- **Staff Findings:** This application does not propose any modifications to the site's existing ingress or egress. During the original CVS site plan approval, it was demonstrated that the property provides sufficient vehicular and pedestrian access. The site fronts South US Highway 1 and is served by two access points: a right-in-only entrance from South US Highway 1 and a right-in, right-out on SE Veterans Memorial Parkway. In addition, a northern cross-connection supports efficient internal circulation and overall traffic flow.

(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 existing developed building already has adequate off-street parking per code. Services will be inside building. No undue noise, glare or detrimental effects will be upon adjacent properties.*
- **Staff findings:** Per Section 158.221(C)(17) of the City Code, recreational facilities require parking at a ratio of one space per 200 square feet of gross floor area. The recreational facility consists of 11,892.78 square feet of gross floor area with 7,114.78 square feet devoted to assembly area. This would require 60 parking spaces. The developed site is parked at a rate of one space per 200 square feet with a total of 86 parking spaces. The site contains sufficient parking capacity to support this special exception request.

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

- **Applicant's Response:** *The building has already installed utilities that will be sufficient for the use of the enclosed assembly area of over 3000 sqf. No proposed installation of utilities for this application*
- **Staff findings:** Adequate utilities are available to service the proposed use. The Port St. Lucie Utility Systems Department (PSLUSD) currently provides utility services to the site.

(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: *No additional buffering and screening will be required, as the surrounding buildings are commercial and compatible with the enclosed assembly area of over 3000 sqf use.*
- Staff findings: No additional screening or buffering is required. The site's approved landscape plan provides adequate perimeter landscaping.

(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 stand-alone existing light will be used, no additional lights are proposed. No undue glare, incompatibility with adjoining buildings or impact on traffic safety. Building signage will be on the same side of previous CVS sign, it will have steady and constant color & the existing marquee will remain in the same location, both signage & existing marquee will be up to code.*
- Staff findings: Outdoor lighting complies with the requirements of City Code Section 158.221. Any outdoor signs shall comply with Chapter 155 Sign Code. Any future individual tenant sign shall be permitted through separate building permit application.

(F) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties to eliminate or minimize any undue glare.

- Applicant's Response: *No adverse impact is expected to the surrounding properties. They are already commercial buildings and compatible with its use.*
- Staff findings: Yard setbacks and open space were previously addressed with the existing site plan. No changes to the existing yards and open space are being requested.

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

- Applicant's Response: *The enclosed assembly area of over 3000 square feet will comply with stated provisions and requirements of the City's Land Development Regulation.*
- Staff findings: The proposed Special Exception Use is permitted as defined in Section 158.124(C)(2) – General Commercial (CG) Zoning District and shall conform to all provisions of the Zoning Code.

(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: *The enclosed assembly area of over 3000 square feet will not cause any impact in health, safety, welfare or convenience of residents and workers in the City of Port St Lucie. On the contrary the use will have a positive impact on the residents of Port St. Lucie and the surrounding areas.*
- Staff findings: By adhering to the 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 hours of operation for the enclosed assembly area of over 3000 sqf will be from 9AM-6PM, similar to hours of operations of surrounding building, no overnight operation. All services are indoor and there will not be any nuisance or hazard because of the noise or number of persons attending. In addition, the proposed use vehicular traffic will not be much higher than the surrounding businesses.*
- Staff findings: The facility is not expected to constitute a nuisance due to noise, the number of people who will attend the facility, the hours of operation or vehicular movement. The day-to-day activities occur indoors and the proposed operating hours are 9 AM to 6 PM.

(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 enclosed assembly area of over 3000 square feet will be compatible with the adjacent properties. It will comply with commercial and zoning requirements. It will have similar hours of operation, similar building height, noise, lighting standards, traffic and pedestrian access to adjacent buildings as stated in the Port St. Lucie Land of Development Regulation.*
- Staff findings: The proposed use is not expected to adversely impact surrounding properties. The facility is in an area designated for commercial development. The site is already developed, and the required landscape buffers have been installed.

(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.

- 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.

- Staff findings: Acknowledged.

## **PLANNING AND ZONING BOARD ACTION OPTIONS**

If consistent with 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 as recommended by staff

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.