



VRE PSL Landco, LLC Variance
Project No. P25-143



SUMMARY

Applicant's Request:	Variance to the Becker Road Overlay District Design Standards Section 3.4 General Requirements - 2. 1. a. which requires a setback or "Build-To Zone" of 30-40 feet. The property owner seeks a variance of 13.3 feet to allow for a setback for the McDonalds Building of 53.3 feet.
Application Type:	Variance, Quasi-Judicial
Applicant/Owner:	Kimley-Horn and Associates / VRE PSL Landco, LLC
Location:	Northwest corner of Port St. Lucie Boulevard and Becker Road
Project Planner:	Daniel Robinson, Planner III

Project Description

The City of Port St. Lucie has received a request from agent, Kimley-Horn and Associates, on behalf of the property owner VRE PSL Landco, LLC, to the Becker Road Overlay District Design Standards Section 3.4 General Requirements - 2. 1. a. which requires a setback or "Build-To Zone" of 30-40 feet. The property owner seeks a variance of 13.3 feet to allow for a setback for the McDonalds Building of 53.3 feet. The subject property is zoned General Commercial (CG) and is generally located at the northwest corner of SW Port St. Lucie Boulevard and Becker Road. The property is legally described as Parcels A and B of NAU Ranch together with Lot 29 Block 2284 and Tract M of Port St. Lucie Section Thirty-Three.

Background

The proposed development consists of 15.45 acres. The applicant has submitted a site plan with 36,882 square feet of commercial buildings for phase one. There are 2.6 acres of future possible development. For the site plan to be approved as proposed, the variance requested is required.

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 November 20, 2025, and the file was included in the ad for the Planning & Zoning Board's agenda.

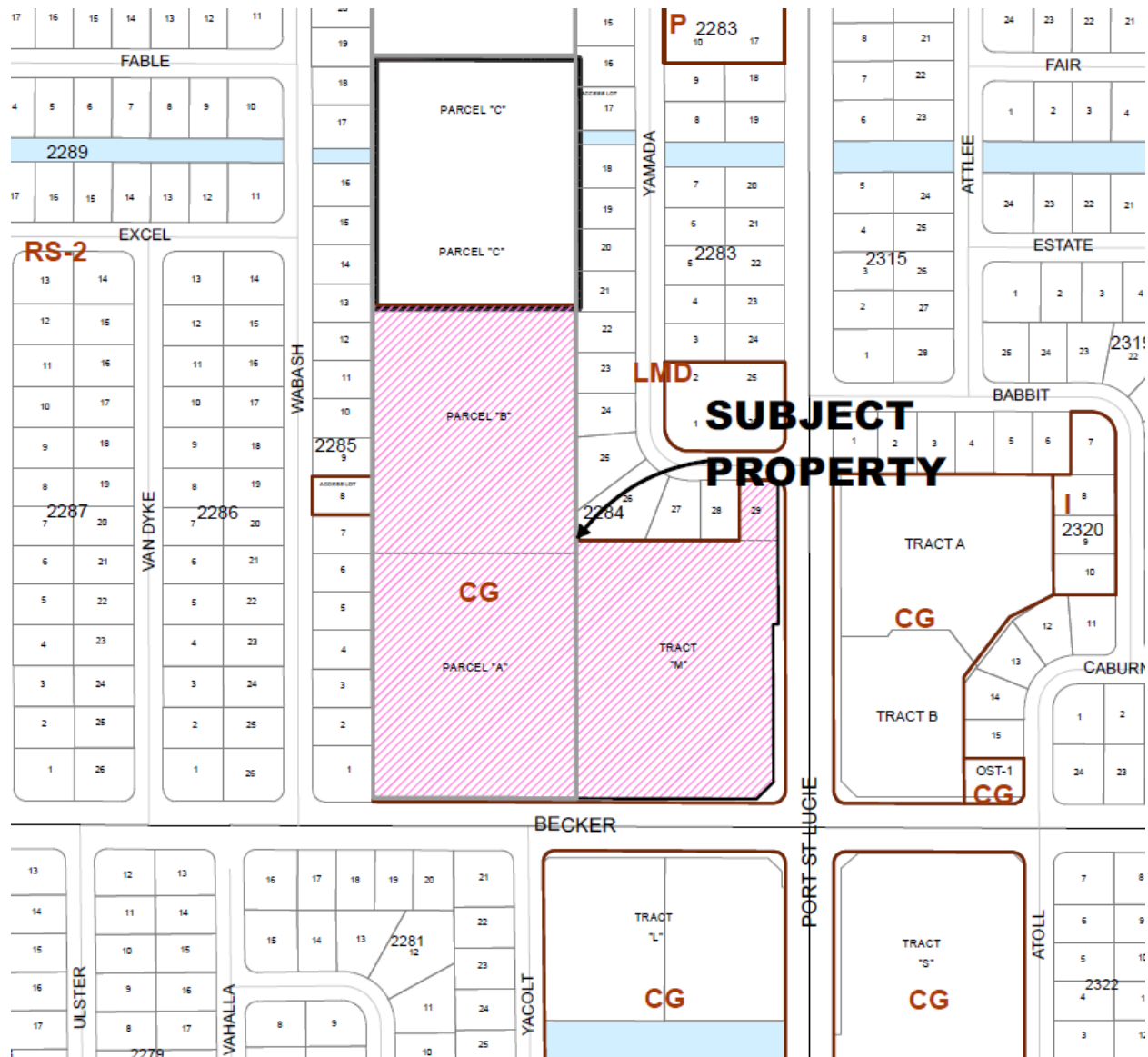
Location and Site Information

Parcel Numbers:	3420-660-0013-000-1, 4431-500-0001-000-8, 4431-500-0002-000-5, & 3420-660-2640-000-9
Property Size:	15.45 acres (672,817 SF)
Legal Description:	Parcels A and B of NAU Ranch together with Lot 29 Block 2284 and Tract M of Port St. Lucie Section Thirty-Three
Address:	Northwest corner of Port St. Lucie Boulevard and Becker Road
Future Land Use:	CG - General Commercial
Existing Zoning:	CG - General Commercial
Existing Use:	Vacant

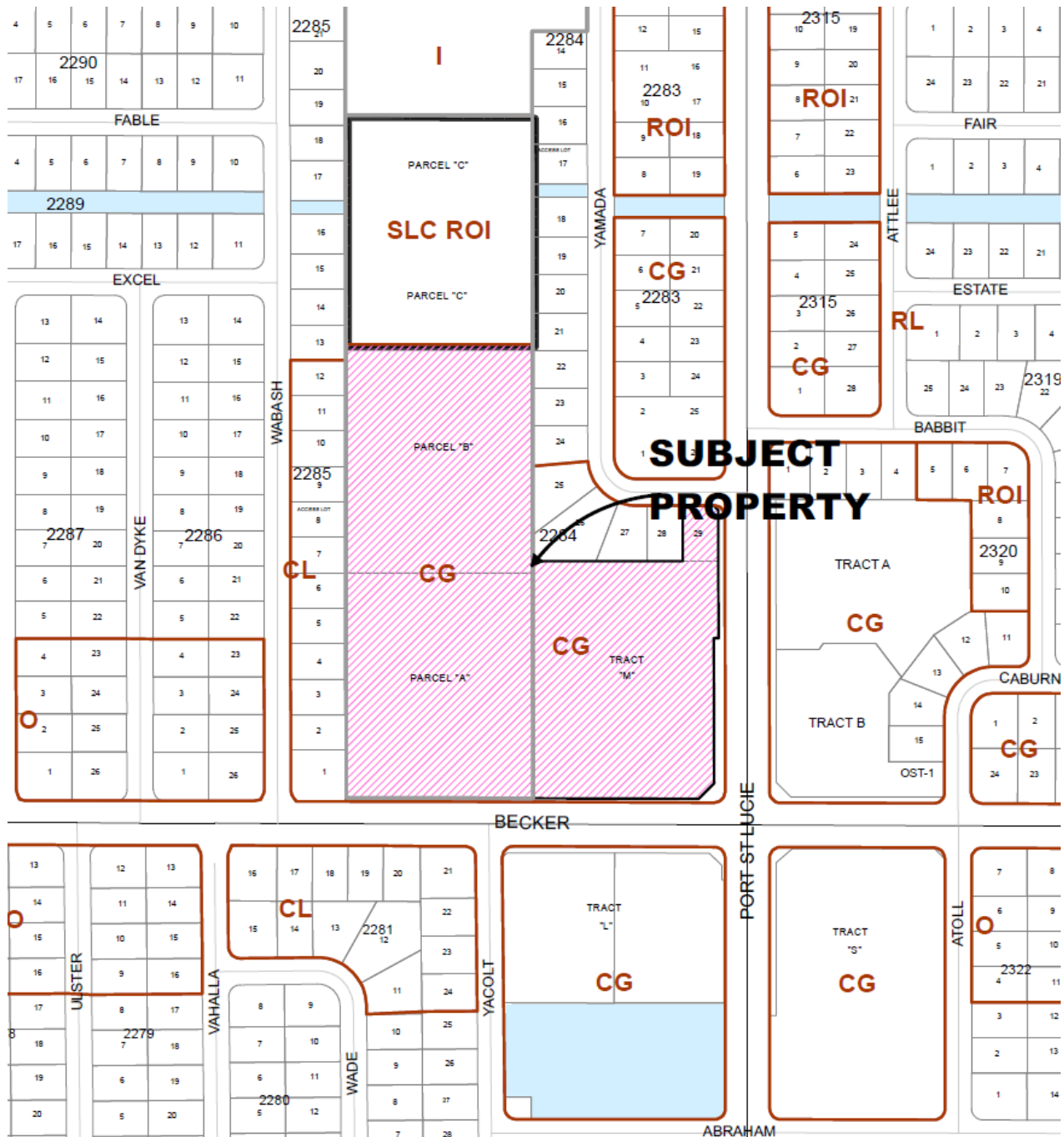
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	CG and SLC-RU	SLC-AR1	Vacant
South	CL/CG	CG/RS-2	Single family residential, Vacant
East	CG	CG	Vacant
West	CL	RS-2	Single family residential

CL - Light Commercial; CG-General Commercial; RS-2 Single Family Residential; SLC-RU- St. Lucie County Residential Urban; SLC-AR1 St. Lucie County Agricultural Residential 1



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 site falls within the Becker Road Overlay District (BROD), which specifies additional criteria from general planning and zoning requirements.*
 - Staff Findings: *Special conditions and circumstances exist regarding the proposed building. The property is zoned General Commercial and is located within the Becker Road Overlay District in the Activity Center Subdistrict. The Becker Road Overlay District Design Standards, Section 3.4-2.1.a requires a setback or "Build-To Zone" of 30-40 feet in this subdistrict. As the building is not located on the corner, a drive-through is permitted to be located in the front of the building per BROD section 3.4.4.2c. Section 158.221(l)3 requires an escape route from the stacking area for drive-throughs. This creates the need for two lanes and pushes the building back further than the build-to zone.*
- 2) That the special conditions and circumstances do not result from any action of the applicant.
 - Applicant's Response: *These conditions are not a result of actions from the applicant.*
 - Staff Findings: *The design of the drive-through requires a further setback of the building as having the drive-through on the street side of the building requires two lanes as stated in criteria #1.*
- 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: *The proposed variance will not grant any special privilege that would be a disadvantage to others within the district. There are no other drive-thru restaurants within this district.*
 - Staff Findings: *The granting of this variance will not confer special privileges on the current owners/tenant denied to buildings in the same zoning district. The property is zoned General Commercial and is subject to the Becker Road Overlay Design standards. Other developments in the General Commercial Zoning District that would not be subject to the Overlay district would not be subject to the requirement of the "Build-To-Zone" as it is the intended design of the overlay district.*

- 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 proposed McDonald's Restaurant would likely face challenges with customer satisfaction as it may cause hazards which deter returning customers. It is the intent to maintain customer safety and prevent hardships for the company from potential accidents due to site layout.*
 - *Staff Findings: The property is subject to the Becker Road Overlay Design Standards. That literal interpretation of the provisions of the chapter would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would not work unnecessary and undue hardship on the applicant. The applicant has platted and designed the property as they have wanted for the applicants desired layout.*
- 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 proposed variance is the closest the building can be situated from the ROW which allows for the drive-thru lane and landscape buffering. See attached Variance Letter for illustration of site.*
 - *Staff Findings: The granting of this request is the minimum that has been proposed to accommodate the applicants design of the property.*
- 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: The general intent of the BROD in regard to building setback assumed to provide an aesthetically pleasing layout for the development. The requested variance still maintains a reasonable design for aesthetics and keeps pedestrian safety the top priority.*
 - *Staff Findings: The granting of the variance would not be injurious to the involved or otherwise detrimental to the public welfare. Additional buffering is required. The site's landscape plan provides increased perimeter landscaping. Staff recommends the area along the street next to the drive-through on Becker Road shall have a 3- foot berm with hedges that shall be planted at a minimum of 2 feet in height and then maintained at a height no less than 3 feet. The trees located in these areas shall be evergreen trees creating a year- round semi-opaque buffer from the sidewalks and streets.*
- 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: Acknowledged.*
 - *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 the variance

If approved, staff recommends the following condition of approval:

- The area along the street next to the drive-through on Becker Road shall have a 3- foot berm with hedges that shall be planted at a minimum of 2 feet in height and then maintained at a height no less than 3 feet. The trees located in these areas shall be evergreen trees creating a year-round semi-opaque buffer from the sidewalks and streets.

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).