

BECKER, LLC
Wawa Convenience Store and Fueling Station
Special Exception Use Application
P22-006

City Council Meeting

February 27, 2023

Mary F. Savage-Dunham, AICP



Application Summary

Request for approval of a Special Exception Use (SEU) in accordance with Section 158.124(C)(11) of the Zoning Code and Section 2.3.3.1.a of the Becker Road Overlay District (BROD) Design Standards to allow a fueling station with 8 pumps as part of a Wawa Convenience Store consisting of 6,119 S.F building and a 688 S.F. exterior dining area and a gas station.

- Applicant/Agent: Brad Curry, AICP, Engineering, Design, and Construction (EDC)
- Owner: Becker, LLC



Application Summary

The proposed use is a **special exception use** – Fueling station, with a convenience store. What is a special exception use? Per the code section 158.255, Certain land uses, due to their unique functional characteristics and the potentiality for their incompatibility with adjoining land uses, require special consideration on an individual basis of their suitability for location and development within particular zoning districts. These uses have been designated as special exception uses within appropriate zoning district classifications.

The intent of SEUs is that these Special Exception Uses may be permitted within the zoning district classifications only after affirmative findings that they can be developed at particular locations in a compatible manner. This project does not satisfy all of the criteria identified in the code which indicates that this particular use may not be suitable for this particular location.

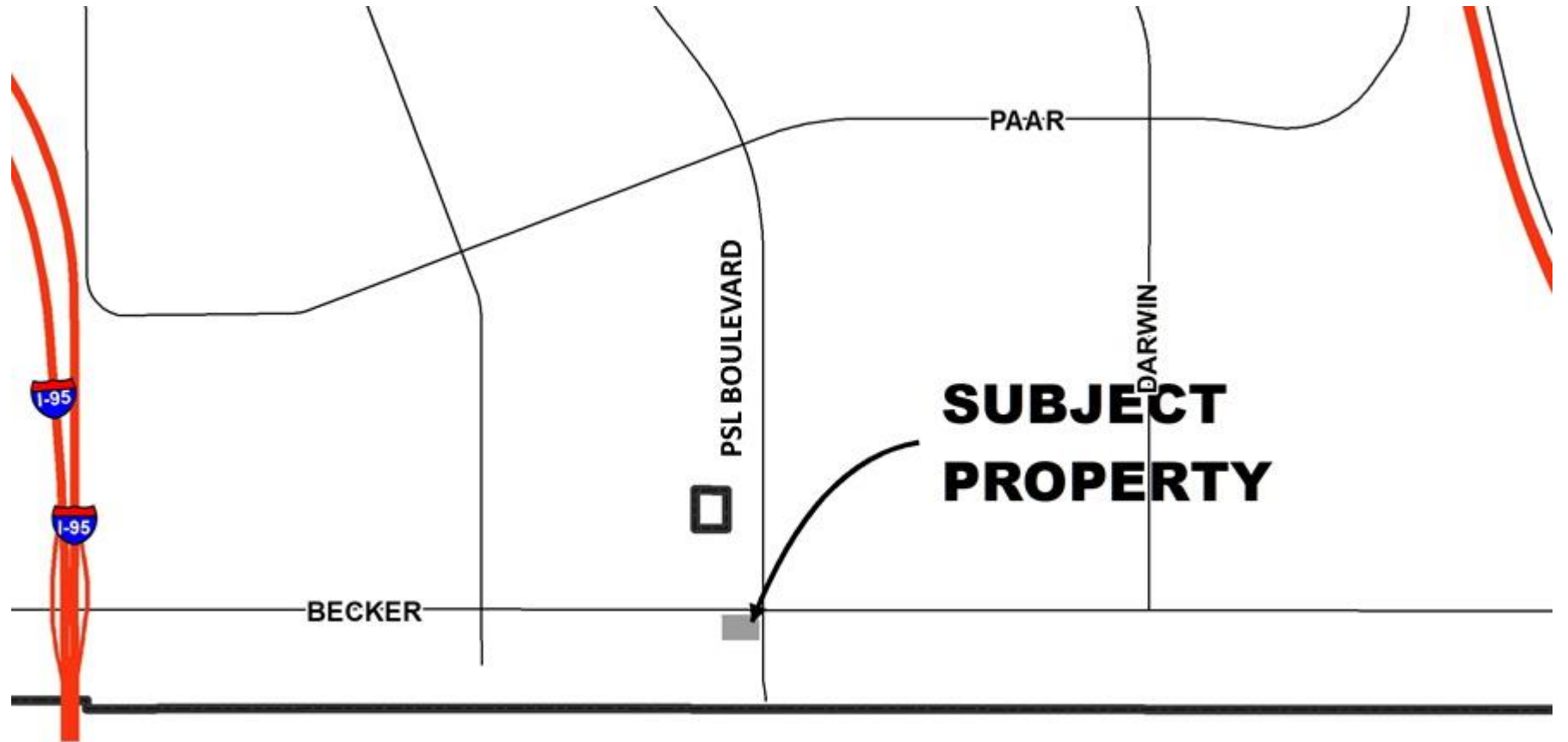
Request Summary

- On September 14, 2022, the Site Plan Review Committee (SPRC) recommended approval with all comments addressed. Some of the comments from Public Works have not been addressed. The applicant requested to proceed with this application and not address the following comments from the SPRC.
- **1. Public Works does not support the placement of the mid-block driveway located in the Becker Road right-turn lane. [Remove or relocate the mid-block driveway so that it is not in the functional area of the Port St. Lucie Blvd. & Becker Rd. intersection.]**
- **2. Public Works does not support the spacing distance of the mid-block driveway from Yacolt Drive. [The spacing does not meet the minimum 250-foot distance. The proposed spacing is 243.27 feet.]**
- **3. Public Works requested a right-turn lane from Becker Road onto Yacolt Drive. [This street is located on west side of the subject parcel. This right-turn lane correlates with having side street access.]**



Location Map

SW corner of Port St. Lucie Blvd. and Becker Road.



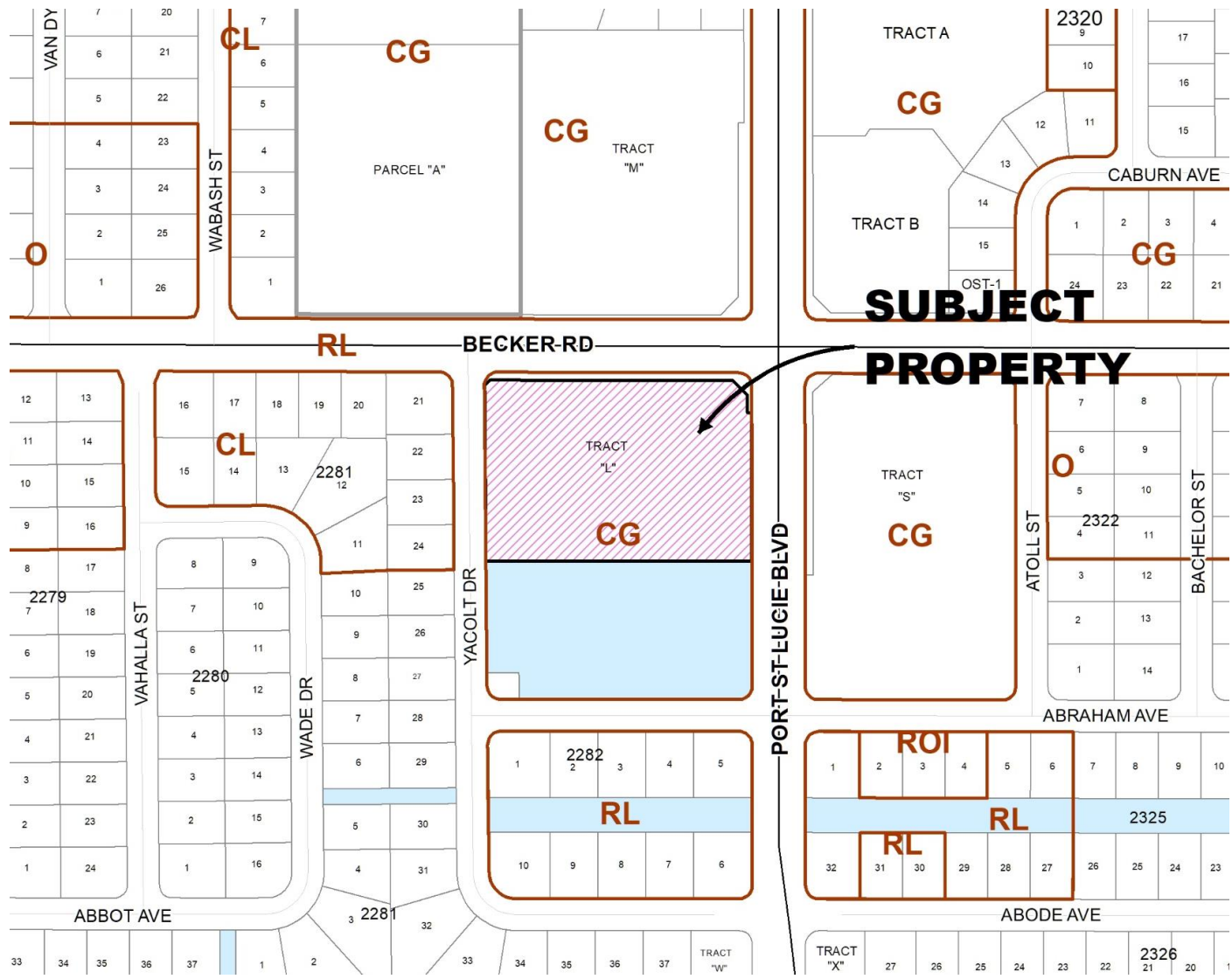


Aerial

Located at SW corner of Port St. Lucie Blvd. and SW Becker Road.

Vacant commercial properties at corners of PSL Boulevard and Becker Road have been zoned for commercial use for over 40 years.





Land Use

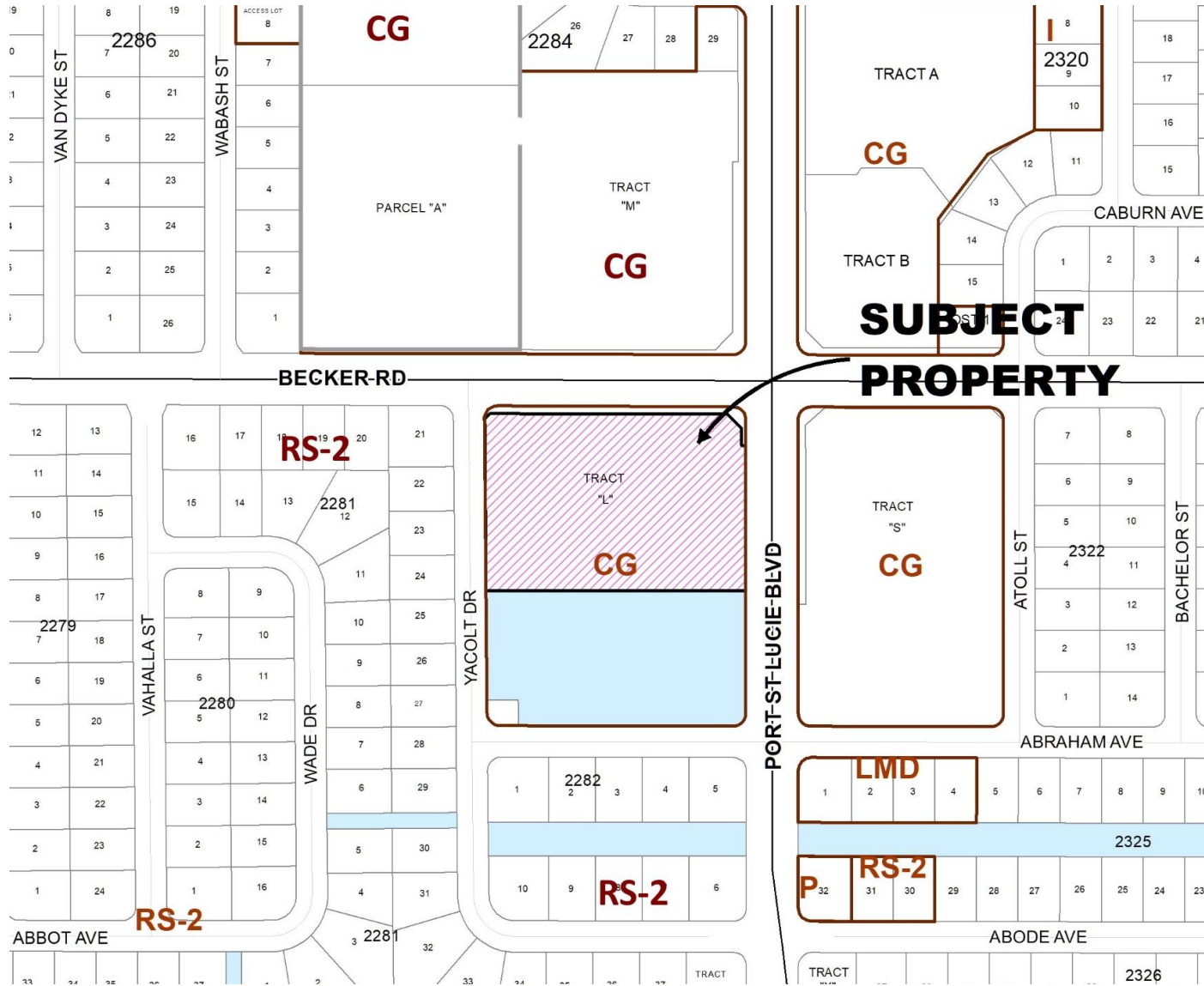
CG (General Commercial)

In 2018, the City established conversion areas along Becker Road to allow single-family lots to be assembled and rezoned for commercial uses.

The property to the west of the subject property has a future land use of CL (Limited Commercial).

However, these lots have not been rezoned for commercial uses and most of these lots are being used for single-family residential.





Zoning

CG (General Commercial)

Lots located to the west of the subject site are zoned single-family residential (RS-2).



General Site Context

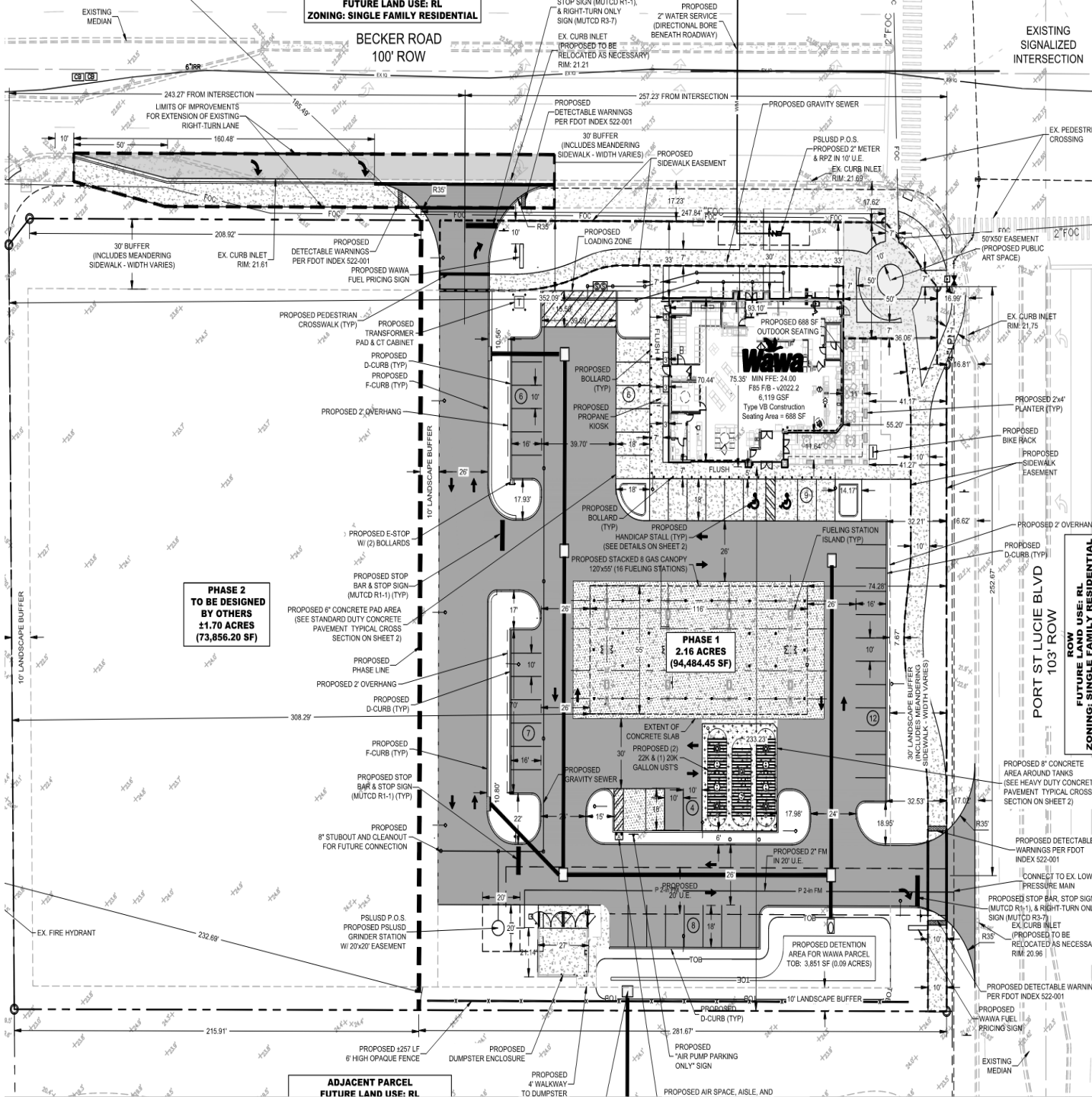


- This site is currently vacant.
- On Yacolt Drive, on the west side of the subject parcel, three houses are located on the first four lots.
- These lots are located in a Conversion Area.
- These four properties have a future land use designation of CL (Limited Commercial) and are zoned RS-2 (Single-family Residential).
- It was the intention of the Planning and Zoning Department that these Conversion Area lots would be assembled and rezoned to a commercial use.
- However, several of these houses are new, and it is doubtful that these lots would be combined for commercial use anytime soon.

Previous Actions

- **Site Plan Review Committee**: On September 14, 2022, the Site Plan Review Committee (SPRC) reviewed the Special Exception Use (SEU) application and recommended approval with all comments being addressed. There were three comments by the Public Works Department that were not addressed by the applicant. The applicant indicated that he wanted to send this SEU application forward regardless of these comments.
- **P22-198 Wawa Variance**: On August 2, 2022, the Planning and Zoning Board voted to grant a variance to Section 158.222(B)(3) to allow a driveway to be located 243' from the intersection where a separation distance of 250' is required.
- **Planning and Zoning Board Recommended Motion on SEU (P22-006)**: After hearings on February 7 & 21, 2023, the Planning and Zoning Board recommended approval of the SEU with the following two conditions: The conceptual site plan shall include the additional 50' extension of the turn lane on Becker Road; and, A 6' opaque fence shall be added to the landscape buffer on the southern border.





PROPERTY DATA
 LEGAL DESCRIPTION: THE EASTERN HALF OF PSL BLVD AND A POINT: ARC 38 18 FT, TH N 89 52 FT, TH S 89 52 22 E 456 9, 89 58 11 E 3 FT TO POB F SECTION 31, TOWNSHIP

TOTAL ACREAGE:
 PROJECT PHASE 1 SIZE: 2.16 ACRES
 FUTURE LAND USE: ZONING: SINGLE FAMILY RESIDENTIAL
 PARCEL ID ADDRESS:

BUILDING DATA
 BUILDING: WAWA
 BUILDING SETBACKS: FRONT (BECKER RD) 10' MIN FRONTA PROPOSED I BECKER ROAD; MIN FRONTA PROPOSED I REAR (SOUTH) 10' MIN FRONTA PROPOSED I
 BUILDING HEIGHT: PROPOSED: 12' MAXIMUM ALLOWED
 BUILDING COVERAGE: PROPOSED: 100% MAXIMUM ALLOWED
 BUILDING FRONTAGE (B PORT ST LUCIE BLVD): MIN FRONTA PROPOSED I BECKER ROAD: MIN FRONTA PROPOSED I
 PARKING DATA - (ALL 1 SP PER 200 SF BUILDING REQUIRED PARKING: PROPOSED PARKING: 100 REQUIRED HANDICAP: PROPOSED HANDICAP: 2

IMPERVIOUS/PERVIOUS
 TOTAL PARCEL AREA: 1.70 ACRES
 IMPERVIOUS: 73,856.20 SF
 ASPHALT PHASE 1: 688 SF
 CONCRETE PHASE 1: 688 SF
 BUILDING PHASE 1: 688 SF
 PERVIOUS: 94,484.45 SF
 OPEN SPACE PHASE 1: 0 SF
 DRY DETENTION PHASE 1: 0 SF
 OPEN SPACE PHASE 2: 0 SF

PROJECT NOTES
 UTILITY PROVIDERS: WATER & WASTEWATER; IRRIGATION; SOLID WASTE; ELECTRIC.
 STORM WATER DRAINAGE: A SERIES OF INLETS WITH A DRAINAGE SYSTEM.
 WATER AND SEWER: EX. I PROPOSED BUILDING.
 HAZARDOUS WASTE: AS PER REGULATIONS.
 SOLID WASTE: BASED ON C FOR SOLID WASTE AND LANDSCAPE: LANDSCAPE ENVIRONMENTAL: AN EI ACCESSIBILITY AND ADA: A/C UNITS: A/C UNITS TO SIGNAGE: SIGNAGE IS S

TRAFFIC STATEMENT
 THE TRIP GENERATION IN DETERMINING EXPECTED SF BUILDING, 688 SF OU OBTAIN THE FOLLOWING:

WEEKDAY	345.7
WEEKDAY AM	31.3
WEEKDAY PM	28.0

WELLFIELD PROTECTION
 THE SUBJECT PARCEL IS NEAREST FIRE HYDRANT

Concept Plan

Shows mid-block driveway extending from right-turn lane. Public Works does not support.

The site includes the whole block. Wawa is Phase 1.

As per Becker Road Design Standards, the building is located in front of parking lot and faces Becker Road.





FRONT ELEVATION



REAR (BECKER ROAD) ELEVATION



RIGHT (PORT ST. LUCIE BLVD) ELEVATION

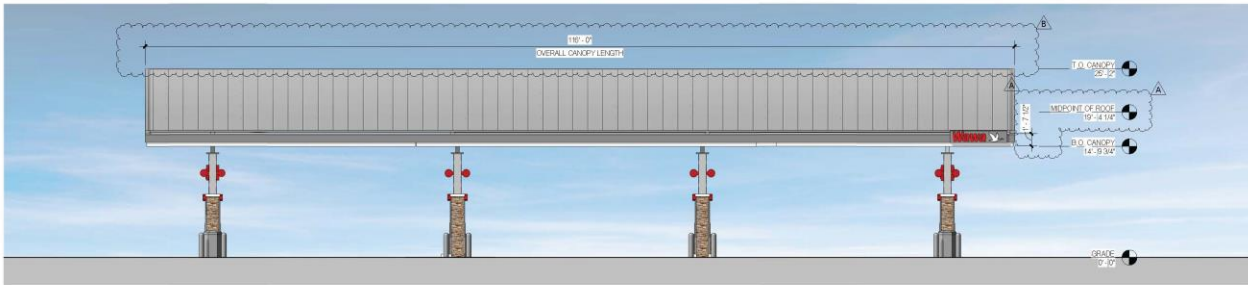


LEFT ELEVATION

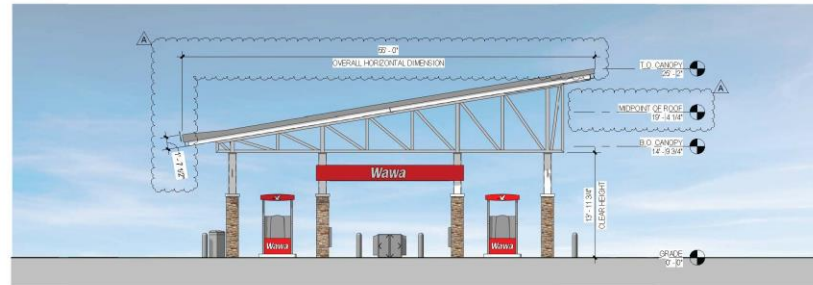


Conceptual Elevations





CANOPY SIDE ELEVATION



CANOPY END ELEVATION



Conceptual Elevations



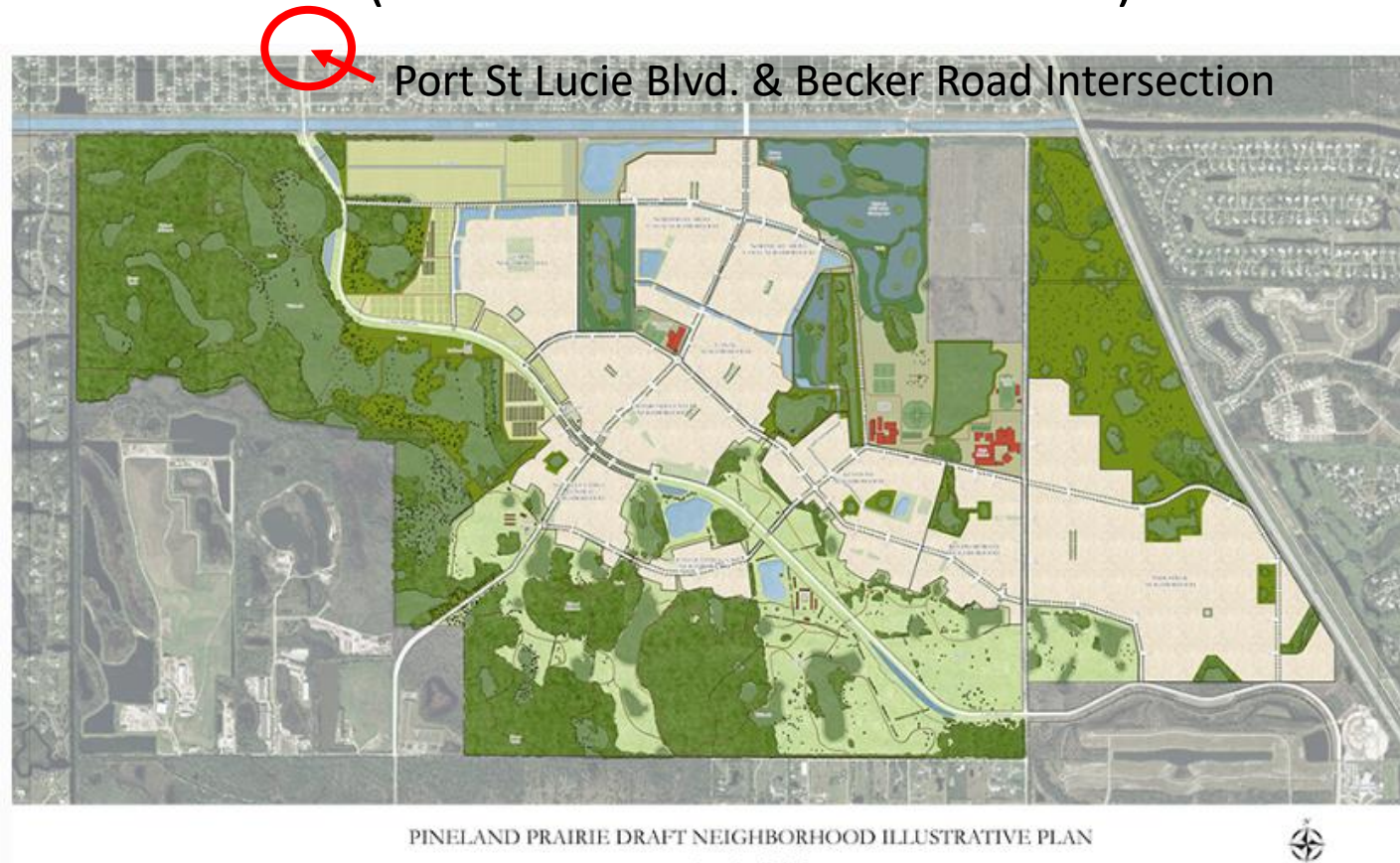
Traffic Impact Analysis

- The Traffic Impact Statement received in June 2022 was reviewed by City Staff and found to NOT comply with City Code and Public Works Policy #19-01
- Per ITE Trip Generation Manual, 11th Edition, this site would produce a total of 448 PM Peak Hour trips. The Saturday Peak hour and AM Peak hour trips are even higher. This is divided over 2 driveways and in/out movements. No right turn lane extensions are proposed. The existing right turn lane is of insufficient length from the driveway location that is proposed.



New Development Impact

- Future impacts from New Martin County Development “Pineland Prairie”
 - Located off Citrus Blvd. (Southern Port St. Lucie Blvd.)



New Development Impact

- “Pineland Prairie”
 - Located off Citrus Blvd. (Southern Port St. Lucie Blvd.)
 - Proposed at 4,200 residential units
 - First homes planned to be occupied in early 2024
 - 150,000 Square feet of retail space (grocery, drug store, restaurants)
 - 140,000 Square feet of office space

- All trips going North from above new development will go through the Port St. Lucie Blvd and Becker Road intersection.
- Pineland Prairie is also a potential attractor for PSL residents to go South through intersection of concern.

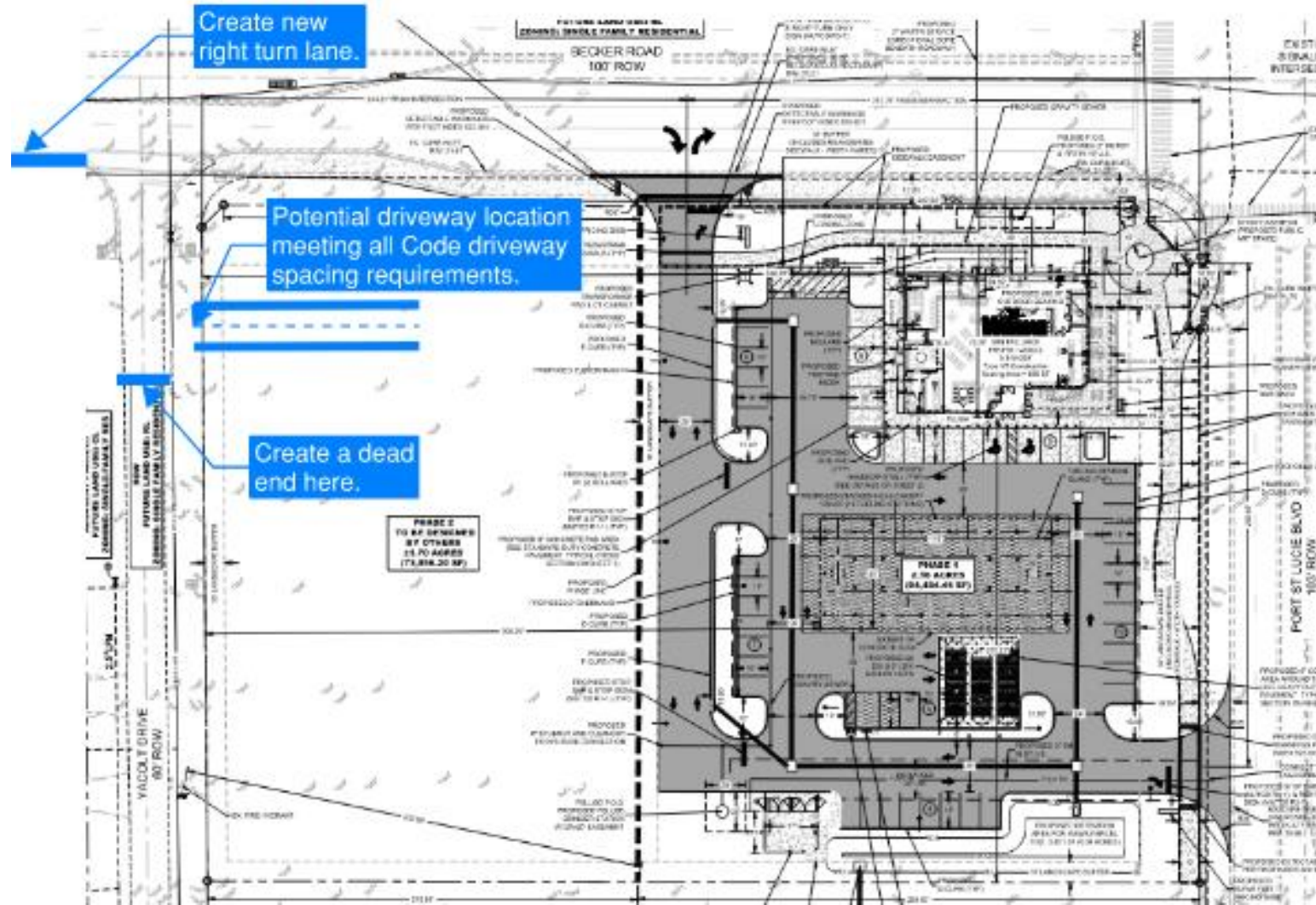


City Code Noncompliance

- Section 158.222(B)(4), driveway spacing from intersections shall be measured at minimum of 250' from middle of driveway to the right-of-way line of the intersecting street. Applicant is proposing driveway at 243' from Yacolt Drive.
- Of more concern to the Public Works Dept is the location of the driveway being within the existing right turn lane of the Becker and Port St. Lucie Blvd intersection. City Code states, “standards in excess of these spacing requirements are preferable and may be required for driveways located within the functional area of an intersection or areas where access restrictions are necessary to reduce conflicts, preserve the safety of the traveling public, or to preserve the function of the adjacent roadway.”
- The proposed driveway location within the functional area of the intersection will create additional conflict points and therefore creating a safety concern.



Recommended Driveway Location



Planning Analysis:

1. While the Becker Road Overlay District identifies this area as an “Activity Center” the BROD conceptual plan identifies appropriate uses for this site and they are office/retail/restaurant and commercial. Townhomes would be permitted here, at a density of 8 units per acre with a rezoning to LMD and that use could access the site from the side streets with no access from Becker Road. A fueling station is permitted on this site as a Special Exception Use as previously stated.
2. The Becker Road Overlay District design standards are not intended to negate or override other development design standards or safety considerations.
3. The code does not require two driveways for the convenience store/fueling station use.
4. The parcel/site that this use is proposed for has another section called phase 2 that has yet to have development approved on it. This means that there will be additional traffic utilizing the driveway as proposed.



Evaluation of SEU CRITERIA
(Section 158.260)

FINDINGS

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. (§ 158.260 (A))

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. (§ 158.260 (I))

NO – The project as proposed does not meet these criteria. Ingress and egress on Becker Road is not satisfactory. The Public Works Department has indicated that they do not support the proposed mid-block driveway from Becker Road since the driveway would extend from a southbound turn lane – and be located in the functional area of influence near the intersection of Becker Road and Port St. Lucie Boulevard.

Per City Code Section 158.222(B)(4), the minimum spacing between a road and a driveway shall be 250' for a commercial site on Becker Road. However, the applicant is proposing a driveway separation distance of 243'. Of more concern to the Public Works Department, the proposed driveway is being proposed within the existing right turn lane of the Becker Road and Port St. Lucie Blvd. intersection. City Code goes on to state that “standards in excess of these spacing requirements are preferable and may be required for driveways located within the functional area of an intersection or areas where access restrictions are necessary to reduce conflicts, preserve the safety of the traveling public, or to preserve the function of the adjacent roadway.”; such as with this particular case to reduce conflicts.

Evaluation of SEU CRITERIA
(Section 158.260)

FINDINGS

ADEQUATE OFF-STREET PARKING AND LOADING AREAS MAY BE PROVIDED, WITHOUT CREATING UNDUE NOISE, GLARE, ODOR, OR OTHER DETRIMENTAL EFFECTS UPON ADJOINING PROPERTIES (§ 158.260 (B)).

YES - In terms of adequate parking and loading.
NO - The project as proposed does not meet these criteria in terms of providing adequate buffering of the parking and loading areas to residential uses on the south side. See next page for buffering comments.

ADEQUATE AND PROPERLY LOCATED UTILITIES ARE AVAILABLE OR MAY BE REASONABLY PROVIDED TO SERVE THE PROPOSED DEVELOPMENT (§ 158.260 (C)).

YES - The project as proposed meets these criteria. The subject property is located in the City and utilities are in place to serve the development by the City.

Evaluation of SEU CRITERIA
(Section 158.260)

BUFFERS

FINDINGS

ADEQUATE OFF-STREET PARKING AND LOADING AREAS MAY BE PROVIDED, WITHOUT CREATING UNDUE NOISE, GLARE, ODOR, OR OTHER DETRIMENTAL EFFECTS UPON ADJOINING PROPERTIES. (§ 158.260 (B))

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. (§ 158.260 (D))

YARDS AND OPEN SPACES WILL BE ADEQUATE TO PROPERLY SERVE THE PROPOSED DEVELOPMENT AND TO ENSURE COMPATIBILITY WITH ADJOINING PROPERTIES. (§ 158.260 (F))

NO – SOUTH SIDE: The project as proposed does not meet these criteria in terms of providing adequate buffering for compatibility with adjacent residential uses to the south. The south side has a 10-foot-wide landscape buffer. However, the south of the site side of the lot features a gas station canopy, fuel pumps, and parking that would not be screened from view if the hedge is two feet in height as required by code or if palm trees are used as proposed. The fueling station pumps, canopy, and parking lot would be visible to the neighbors to the south. Staff recommends that the applicant provide a 6-foot-high opaque fence in the landscape buffer. In addition, the type of proposed trees shall include canopy trees such as oak trees, not palm trees, and other vegetation that will facilitate in creating an opaque landscape buffer. If the entire parcel, inclusive of Phase 2 is cleared, the landscape buffer on the south side shall be continued along the entire south side of the property. The Landscape Plan shall be modified prior to SEU approval from the City Council.

WEST SIDE: This parcel is to be developed in 2 phases. Wawa is phase 1. Buffering between the Wawa site and the residential houses in the

Evaluation of SEU CRITERIA
(Section 158.260)

FINDINGS

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. (§ 158.260 (E))

YES. The project as proposed meets these criteria. 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.

THE USE AS PROPOSED WILL BE IN CONFORMANCE WITH ALL STATED PROVISIONS AND REQUIREMENTS OF THIS CHAPTER. (§ 158.260 (G))

YES, As per Zoning Code Section 158.124(C)(11), convenience stores with or without a fuel service station require approval of a Special Exception Use in a CG (General Commercial) zoning district. As per the Becker Road Overlay District (BROD) Design Standards Section 2.3.3.1.a, a Special Exception Use is required to allow a fuel service station in the Activity Center Subdistrict. The BROD Design Standards Section 2.3.3.1.c also indicates that if access to a site from a side street is provided for a property located in the Activity Center Subdistrict, approval of a Special Exception Use is required.

Evaluation of SEU CRITERIA
(Section 158.260)

FINDINGS

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. (§§ 158.260 (H))

YES - The project as proposed meets these criteria. The convenience store and fuel service station are planned to be open 24 hours, 7 days a week, similar to other Wawa businesses in the city. This is a commercial property located at the intersection of two major arterial roads and should be compatible provided adequate buffering is provided on the south side.

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. . (§§ 158.26 (J))

NO - Not compatible in terms of access as related to the mid-block driveway on Becker Road. See page 17 or Paragraph A.

NO - Not compatible in terms of buffering. See page 19 or Paragraphs B, D, F.

Recommendation

Because the use as designed does not satisfy the criteria for the SEU, staff recommends that the Council approve the Special Exception Use with the following conditions: 1) The proposed mid-block access driveway located on Becker Road shall be removed or relocated from Becker Road and the conceptual site plan shall be updated accordingly; 2) If side street access to the subject site from Yacolt Drive is provided, a right-turn lane from Becker Road to Yacolt Drive shall be provided and Yacolt Drive shall be closed to thru-traffic. These improvements shall be located in the area to the west of the subject site and shall be designed to the satisfaction of the City; 3) The Landscape Plan shall include a 6-foot-high opaque fence in the southern landscape buffer; 4) The west side of the site (Phase 2) shall not be cleared until development for Phase 2 is approved to ensure that the residential houses along Yacolt Drive are buffered.

Questions or Comments?

