

FOR SPECIAL EXCEPTION USE APPLICATION

CITY OF PORT ST. LUCIE

Planning & Zoning Department
121 SW Port St. Lucie Blvd.
Port St. Lucie, Florida 34984
(772)871-5213

FOR OFFICE USE ONLY

Planning Dept. _____
Fee (Nonrefundable)\$ _____
Receipt # _____

Refer to "Fee Schedule" for application fee. Make check payable to the "City of Port St. Lucie". Fee is nonrefundable unless application is withdrawn prior to being scheduled for the Site Plan Review Committee meeting or advertising for the Planning and Zoning Board meeting. **Attach two copies of proof of ownership (e.g., warranty deed, affidavit), lease agreement (where applicable), approved Concept Plan or Approved Site Plan, and a statement addressing each of the attached criteria.**

PRIMARY CONTACT EMAIL ADDRESS: aref@hsqgroup.net

PROPERTY OWNER:

Name: SL PSL BLVD LP
Address: 5950 Berkshire Lane, Suite 700, Dallas, TX 75225
Telephone No.: (214) 545-6986 Email eprescott@streetlevelinvestments.com

APPLICANT (IF OTHER THAN OWNER, ATTACH AUTHORIZATION TO ACT AS AGENT):

Name: Murphy Oil USA, Inc
Address: 200 Peach Street, El Dorado, AR 71731
Telephone No.: (870) 314-1553 Email kara.richards@murphyusa.com

SUBJECT PROPERTY:

Legal Description: 299 SW PORT ST. LUCIE BLVD. (PB 67-23)- TRACT B (0.894 AC - 38,943 SF)
Parcel I.D Number: 4408-511-0001-000-0
Address: 299 SW PORT ST LUCIE BLVD Bays: _____
Development Name: Murphy USA #23203 (Attach Sketch and/or **Survey**)
Gross Leasable Area (sq. ft.): 38,943 Assembly Area (sq. ft.): -
Current Zoning Classification: CG SEU Requested: Gas Station with Convenience Store

Please state, as detailed as possible, reasons for requesting proposed SEU (continue on separate sheet, if necessary):

The applicant desires to construct a gas station (12 fueling positions) with a 2,824 SF convenience market.

Per the City code for General commercial zoning, a special exception is required for Automobile fuel sales, and for Retail convenience stores with or without fuel service station.

Kara Richards

Signature of Applicant _____ Hand Print Name _____ Date _____

NOTE: Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted. 02/26/20

SPECIAL EXCEPTION USES

The Planning and Zoning Board, and Zoning Administrator, may authorize the special exception use from the provisions of § 158.260. In order to authorize any special exception use from the terms of this chapter, the Planning and Zoning Board, or Zoning Administrator, will consider the special exception criteria in § 158.260 and consider your responses to the following when making a determination.

(A) Please explain how adequate ingress and egress will 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.

The applicant is providing a 16-foot right-in only driveway along SW Port St Lucie BLVD (SR 716). In addition, a two-way driveway is proposed on the north side of the property, which connects to the Shoppes of Victoria Square shopping center. The proposed driveways, and drive aisles provide ample access for the fire trucks, emergency service vehicles, waste management vehicles, and for fuel trucks. The path through the plaza to the north also provides ample access for said vehicles to safely maneuver through the plaza to reach the public right-of-way. A traffic impact report will be included upon site plan submittal.

(B) Please explain how adequate off-street parking and loading areas will be provided, without creating undue noise, glare, odor or other detrimental effects upon adjoining properties.

The proposed development will meet the on-site parking requirements per City of Port St. Lucie Code of Ordinances Section 158.221.

The loading/unloading area will be provided on the north side of the building. No off-site parking is proposed.

There will be no detrimental effects on the neighboring properties.

(C) Please explain how adequate and properly located utilities will be available or will be reasonably provided to serve the proposed development.

City of Port St. Lucie water and wastewater facilities are available for connection along the north side of the property. There is an existing sanitary manhole and gravity sewer that will be used as a connection point, and there is an existing watermain that will be tapped to provide the commercial meter.

(D) Please explain how additional buffering and screening, beyond that which is required by the code, will be required in order to protect and provide compatibility with adjoining properties.

The neighboring property to the north and east is the parking lot for the Shoppes of Victoria Square shopping center. To the west is SW Bayshore BLVD, and to the south is SW Port St Lucie BLVD (SR716). There are no residential uses near the property, and adequate landscaping will be provided per the City code; therefore the need for additional buffering/screening is not anticipated.

(E) Please explain how 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.

The proposed development will provide site lighting and signage that adheres to the City of Port St. Lucie Code of Ordinances. Light shields will be used if required.

(F) Please explain how yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

The proposed development will be in conformance with the City of Port St. Lucie Landscape Code Chapter 154 and will be compatible with the adjoining properties.

(G) Please explain how the use, as proposed, will be in conformance with all stated provisions and requirements of the City's Land Development Regulation.

Retail convenience stores with or without fuel service stations, and Auto Fuel Sales are both allowed in the General Commercial zoning district with a Special Exception Use permit.

The proposed development will be in conformance with the provisions of the City of Port St. Lucie Land Development Code Section 158.124. The site will meet all

requirements for setbacks, buffers, building & canopy height, and off-street parking.

(H) Please explain how 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.

The proposed development will provide adequate parking and traffic circulation, thereby not creating any adverse effects to the surrounding streets and parking lot.

No health or safety concerns are anticipated. The site will provide adequate wastewater and solid waste management and will meet all requirements set by the utility

and health departments.

(I) Please explain how 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.

No nuisance or hazards are anticipated, as the proposed development will provide sufficient parking (regular and ADA), and adequate traffic circulation through the site.

The proposed development will not create any adverse effects related to vehicular movement, noise, fume generation, or type of physical activity.

The hours of operation will not create adverse effects, as there are no residential uses abutting the site. In addition, the average time spent by a customer at the development is minimal.

(J) Please explain how 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.

The proposed development is consistent with the existing development in the surrounding area. The proposed uses are compatible and adverse effects are not anticipated.

Existing businesses will not be negatively impacted by the proposed development, and it is expected that the proposed development will increase customer activity

in the area. The proposed development does not exceed the maximum building coverage and height allowances. The proposed facility is not adjacent to any residential uses.

Kara Richards

Signature of Applicant

Hand Print Name

Date

PLEASE NOTE:

(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.

(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.

SPECIAL EXCEPTION USE

§ 158.260 REQUIREMENTS AND APPROVAL

Special Exceptions are uses that would only be allowed under certain conditions and are required to be compatible with the existing neighborhood. It is expected that any such approval be implemented in a timely manner to ensure the use is established under the physical conditions of the area in place when approved. Therefore, Special Exception Uses shall expire after one year on the date of approval unless the applicant has received final site plan approval, or if a site plan is not required, the appropriate permits to allow development of the use to continue as approved.

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.
- (B) Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor or other detrimental effects upon adjoining properties.
- (C) Adequate and properly located utilities are available or may be reasonably provided to serve the proposed 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.
- (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.
- (F) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.
- (G) The use as proposed will be in conformance with all 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.
- (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.
- (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.
- (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.
- (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.



CONCEPT PLAN SUFFICIENCY CHECKLIST

Revised September, 2013

Project Name: _____

Project Number: P _____ New Submittal _____ or Resubmittal _____ (Check One)

Applicant should submit the concept plan package to Planning & Zoning Department with all items listed below to initiate the review process. Other drawings or information may be required, if deemed necessary, upon review of the submittal for the Site Plan Review Committee Meeting.

The Applicant should complete the Project Information, Applicant Checklist and Applicant Certification. Use the following to complete the checklist: ✓ = *Provided* X = *Incomplete or Missing* NA = *Not Applicable*

Applicant Checklist	Description of Item Provided	Sufficient		
		P&Z	Eng.	Utility
	Sufficiency Checklist: One original completed and signed by applicant.			
	2 CD's with all application materials			
	Cover Letter: Sixteen copies of a typed letter explaining the purpose and history of the application.			
	Written Response to Comments: Sixteen copies. For resubmittals only.			
	Completed Application: Sixteen copies. Use black ink or type to fill out completely and legibly.			
	Owner's Authorization: Sixteen copies of authorization on Owner's letterhead.			
	Application Fees: Refer to each department's fee schedule.			
	Proof of Ownership:			
	Three copies of the recorded deed(s) for each parcel with the exact same name for each parcel <u>or...</u>			
	...Unity of Title			
	PUD/MPUD Document and Concept Plan (Sections 158.170 – 158.175 of the Zoning Code):			
	Sixteen sets of 11" x 17" concept plans			
	Show traffic access points			
	Show drainage discharge locations			
	Show proposed water and sewer connection points			
	Evidence of unified control and binding PUD agreement			
	Density statement			
	Proposed zoning district regulations			
	LMD Rezoning and Concept Plan (Section 158.155(M) of the Zoning Code):			
	Sixteen sets of 11" x 17" concept plans			
	Show traffic access points			
	Show drainage discharge locations			
	Show proposed water and sewer connection points			
	Evidence of unified control and development agreement			
	Preliminary building elevations			
	Landscape Plan			
	SEU Concept Plan:			
	Sixteen sets of 11" x 17" plans – either approved site plan or proposed concept plan			



CONCEPT PLAN SUFFICIENCY CHECKLIST

Revised September, 2013

Project Name: _____

Project Number: P _____ New Submittal _____ or Resubmittal _____ (Check One)

Applicant Certification

I, _____ (*Print or type name*), do hereby certify that the information checked above has been provided to the City of Port St Lucie for the subject project. I understand that the checklist is used to determine if the submittal is complete so that the project can be added to the Site Plan Review Agenda. I further understand that review of the submittal contents will not be made at this time and that a sufficient submittal does not exempt a project from being tabled or denied at the Site Plan Review Committee.

Kara Richards

(*Signature of Applicant*)

(*Date*)

Planning and Zoning Department Representative

I, _____ (*Print name*), as a representative of the Planning and Zoning Department, find that this submittal is **Sufficient** / **Non-Sufficient** based upon my review on _____ (*date*).

Additional Comments:

(*Signature of Planning and Zoning Department Representative*)

(*Date*)

Engineering Department Representative

I, _____ (*Clearly print or type name*), as a representative of the Engineering Department, find that this submittal is **Sufficient** / **Non-Sufficient** based upon my review on _____ (*date*).

Additional Comments:

(*Signature of Engineering Department Representative*)

(*Date*)

Utilities System Department

I, _____ (*Clearly print or type name*), as a representative of the Utilities System Department, find that this submittal is **Sufficient** / **Non-Sufficient** based upon my review on _____ (*date*).

Additional Comments:

(*Signature of Utility System Department Representative*)

(*Date*)