

APPLICATION FOR SPECIAL EXCEPTION USE

CITY OF PORT ST. LUCIE

Planning & Zoning Department
121 SW Port St. Lucie Blvd.
Port St. Lucie, Florida 34984
(772)871-5212 FAX: (772)871-5124

FOR OFFICE USE ONLY

Planning Dept. P19-098
Fee (Nonrefundable)\$ 2115.00
Receipt # 230321

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 Fee is nonrefundable unless application is withdrawn prior to being scheduled for the Site Plan Review Committee meeting or advertising for the Planning and Zoning Board meeting.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: Matthew.Gillespie@kimley-horn.com

PROPERTY OWNER:

Name: Publix Super Markets, Inc.
Address: Real Estate Tax Team PO Box, 32018 Lakeland, FL 33802-2018
Telephone No.: _____ Fax No.: NA

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

Name: Kimley-Horn & Associates, Inc., Matthew Gillespie, P.E.
Address: 189 S. Orange Ave, Suite 1000, Orlando, FL 32801
Telephone No.: (407) 409-7007 Fax No.: NA

SUBJECT PROPERTY:

Legal Description: Verano PUD No.1 (PB 56-11); Commercial Tract (8.65 AC); (OR 3294-728)
Parcel I.D Number: 3334-602-0019-000-9
Address: 9335 Commerce Centre Drive, Port St. Lucie, FL 34986 Bays: NA
Development Name: 7-Eleven #38890 - Port St. Lucie (Attach Sketch and/or Survey)
Gross Leasable Area (sq. ft.): 47,045 SF (1.08 AC) Assembly Area (sq. ft.): Bldg SF = 3,109 SF
Current Zoning Classification: Verano PUD SEU Requested: Convenience Store & Fuel Sales

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

Matthew Gillespie
Signature of Applicant

Matthew Gillespie
Hand Print Name

7/17/19
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

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.

Ingress and egress has already been established internally within the Publix parcel. In addition to the Publix access, one new right-in/right-out only access is proposed on Commerce Center Drive. New pedestrian connections have been added to connect to the existing sidewalks on both Commerce Center Drive and Crosstown Parkway to the proposed convenience store.

(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.

This site provides all required off-street parking adjacent to the convenience store and under the fueling canopy. All parking will be adequately shielded from the adjacent roadway with the proposed landscape buffers. The only residential neighborhood within the area is located north of the property and an existing 50 foot wide landscape buffer with mature trees, shrubs and palms was installed when the residential development was constructed. The buffer sits on top of a landscape berm and a 6 foot masonry wall has been constructed on top of the berm, this buffer was required as part of the master PUD to help ensure any and all undue noise, glare, and odor from the commercial portion of the PUD would not affect the residential neighborhood.

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

This site is part of an already constructed commercial parcel located between two major roadways, all existing and required utilities already exist within the area.

(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.

As part of the master planning of the Verano PUD, a 50 foot landscape buffer was required on the north side of Commerce Center Drive. This buffer was built in anticipation of the future development of the commercial portion of the PUD. The 50 foot landscape buffer adequately serves as a screening mechanism for the development within the commercial portion of the PUD. In addition to the existing 50 foot wide buffer, the project will also provide required landscape buffers around the project to further enhance the buffering of the commercial use.

(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.

A sign package and lighting plan have been submitted as part of this application which demonstrates compliance with all of the City of Port St. Lucie regulations pertaining to signage and lighting. All required light shields on parking lot lighting will be used to minimize glare.

(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 landscape plan demonstrates how additional landscaping will be added along the

buffers along Commerce Center Drive and Crosstown Parkway. The landscape plan utilizes the landscape buffers to create an efficient, well organized landscape buffer that complements the existing streetscape. The convenience store with fuel service station requires a special exception use application pursuant to the City of Port St. Lucie Code of Ordinances.

(G) 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 location of the commercial component of the PUD was properly sited when the PUD was established. The property is situated at the outer edge of the residential community directly adjacent to two major roads and the Interstate 95 off ramp. Adequate buffering and setbacks were designed into the Master PUD design program and installed with the development of the adjacent residential which help ensure that any commercial activity on the commercial portion of the PUD would not constitute any nuisance or safety issue for any of the residents within the area. The project complies with the City's requirement for lot size, building coverage, height, setback, parking, lighting, landscaping and architectural design.

(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.

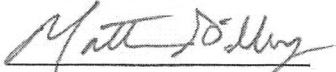
The commercial portion of a PUD was designed to provide the goods and services for the large residential component of the PUD. The location of the commercial use was properly located between two major roads at the edge of a residential community with adequate buffers separating the two. The proposed use will not impair the health, safety, welfare, or convenience of residents or workers within the City as it was established through the original PUD approval as the proper location for commercial uses.

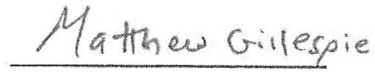
(I) Please explain how the proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity.

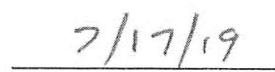
The location of the commercial component of the PUD was properly sited when the PUD was established. The property is situated at the outer edge of the residential community directly adjacent to two major roads and the Interstate 95 off ramp. Adequate buffering and setbacks were designed into the Master PUD design program and installed with the development of the adjacent residential which help ensure that any commercial activity on the commercial portion of the PUD would not constitute any nuisance or safety issue for any of the residents within the area.

(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 commercial portion of the PUD was carefully selected for this location when the original PUD was approved and all safe guards were incorporated into the master plan of the PUD to adequately separate the commercial and residential uses. However, our immediately adjacent neighbor is a Publix Supermarket who is also the property owner of the property and has authorized 7-Eleven to move forward with a long-term lease to provide convenience store items and fuel service station services for the customers of Publix and residents of the community.


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.