

**LETTER OF JUSTIFICATION  
Special Exception Use Application**

Wawa – PSL & Becker

January 5, 2022

**REQUEST**

***On behalf of the Petitioner, Engineering, Design, & Construction, Inc. (EDC) is requesting approval of a Special Exception Use application to allow for Automobile Fuel Sales and Retail Convenience Store with or without Fuel Service Station for a project known as Wawa – PSL & Becker. The subject property is approximately 3.80 acres and can be identified as a portion of parcel ID # 3420-660-00012-000-4. A site plan application is being submitted concurrently with this application for a proposed 4,736 sf convenience store with Automobile Fuel Sales and associated site improvements. A property address has not yet been assigned but is located on the southwest corner of SW Becker Road and SW Port St. Lucie Boulevard in Port St. Lucie, Florida.***

**SITE CHARACTERISTICS & PROJECT HISTORY**

The subject property is located on the southwest corner of SW Becker Road and SW Port St. Lucie Blvd. in Port St. Lucie, Florida and is undeveloped.

The subject property currently comprises of approximately 3.80 acres. The petitioner is proposing a 4,736-sf convenience store with automotive fuel sales. The petitioner will receive water and sewer to serve the proposed development from Port St. Lucie Utility Systems Department (PSLUSD).

The subject property has a Future Land Use designation of Commercial General (CG) and an underlying Zoning designation of General Commercial (CG).

North of the subject property lies the right-of-way of SW Becker Road followed by an undeveloped parcel. This parcel has a Future Land Use designation of Commercial General (CG) and an underlying Zoning designation of Planned Unit Development (PUD).

South of the subject parcel lies a water management tract that is owned and maintained by the City of Port St. Lucie. This tract has a Future Land Use designation of Commercial General (CG) and an underlying Zoning designation of General Commercial (CG).

East of the subject parcel lies the right-of-way of SW Port St. Lucie Boulevard followed by an undeveloped commercial parcel. This parcel has a Future Land Use designation of Commercial General (CG) and an underlying Zoning designation of General Commercial (CG).

West of the subject parcel lies the Right-of-Way of SW Yacolt Drive followed by developed and undeveloped parcels. These parcels have a Future Land Use designation of Limited Commercial (CL) and an underlying Zoning designation of Single Family Residential.

## **SPECIAL EXCEPTION USE (SEU REQUIREMENTS)**

Section 158.260 of the Port St. Lucie Zoning Code identifies the requirements for approval of an SEU application. The attached site plan meets all of the requirements of Section 158.260.

The below outlines the requirements that must be met for City Council to grant an approval.

- 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.

***RESPONSE: As seen on the attached conceptual plan, ingress and egress are proposed with access to SW Becker Road and SW Port St. Lucie Boulevard. Additionally, pedestrian access to an existing sidewalk on SW Becker Road is proposed. Wawa is proposed on the eastern portion of the parcel with approximately 1.9 acres for future development.***

- b) Adequate off-street parking, loading areas, and adequate stacking may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

***RESPONSE: The proposed development meets the minimum parking and loading area requirements. The proposed development would not create undue noise, glare, odor or other detrimental effects to the adjacent properties.***

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

***RESPONSE: The proposed development will be served by PSLUSD. The applicant is proposing a grinder station to serve the development. There are adequate facilities in the area to serve the 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.

***RESPONSE: The proposed development is adjacent to City owned right-of-way on the north, east and west property lines. West of the western right-of-way lies residential parcels. The site plan shows the proposed development on the eastern portion of the subject site allowing for extensive separation from residential parcels. The required landscape buffers will be met which meet the minimum requires of City Code. We feel adequate screening and buffering is proposed.***

- 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.

***RESPONSE: Signage locations and photometric plans will be submitted as part of the site plan review process and will meet the minimum requirements of the City of Port St. Lucie Land Development Code to ensure no adverse effects to adjacent properties and to ensure traffic safety.***

- f) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

**RESPONSE:** *At the time of site plan application, required yard and open space will be depicted on the site plan and will meet the minimum requirements of the City of Port St. Lucie Land Development Code.*

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

**RESPONSE:** *The proposed use does conform with the stated provisions and requirements of this chapter. All local and State permits will be obtained prior to commencement of construction.*

- 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.

**RESPONSE:** *The proposed use will not impair the health, safety, welfare or convenience of residents and workers in the City. Appropriate screening from the adjacent residential parcels to the west is proposed. The western 1.90 acres is not being developed at this time. At the time of future development, review of additional screening from the adjacent residential parcels to the west will be reviewed. Internal sidewalks which will connect to the existing right-of-way sidewalk is also proposed to allow for safe pedestrian connectivity.*

- 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. The City may require certain uses such as car washes, gas stations, and other potential noise generating uses submit a noise impact analysis prepared by a qualified professional.

**RESPONSE:** *The proposed development is located adjacent to Becker Road and Port St. Lucie Boulevard. Access to the development is proposed from Becker Road and Port St. Lucie Boulevard only alleviating concerns with vehicular movements to adjacent residential roadways. The proposed uses would not create undue noise. The development will meet the minimum requirements of the City of Port St. Lucie Land Development Code, including but not limited to pedestrian access, lighting and signage. The development has been designed to ensure separation from the residential parcels to the west. Dumpster enclosures are proposed on the eastern portion of the site also to reduce any impacts to the adjacent residential parcels.*

- 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, changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood. To minimize exposure to excessive noise, the City may require noise control features, limit hours of operation, and other mitigation methods.

**RESPONSE:** *The proposed development is located adjacent to Becker Road and Port St. Lucie Boulevard. The parcels located adjacent to SW Becker Road and SW Port St. Lucie Boulevard have a Future Land Use Designation of Commercial General (CG) which is designated to accommodate general retail stores and services with restrictions on heavy vehicular sales, service, wholesale, warehouse uses and outdoor storage or other nuisance uses. The proposed convenience store with gas sales is consistent with the*

**intent of the Future Land Use element and is consistent with other developed uses currently constructed in the City of Port St. Lucie with CG Future Land Use designations.**

**Access to the development is proposed from Becker Road and Port St. Lucie Boulevard only, alleviating concerns with vehicular movements to the adjacent residential roadway. The proposed uses would not create undue noise. The development will meet the minimum requirements of the City of Port St. Lucie Land Development Code, including but not limited to pedestrian access, lighting and signage. The development has been designed to ensure separation from the residential parcels to the west. Dumpster enclosures are proposed on the eastern portion of the site to also reduce any impacts to the adjacent residential parcels.**

- 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.

**RESPONSE: Acknowledged. The parcel totals 3.80 acres of which 1.90 acres is proposed for the development of the Wawa Convenience Store. The site plan will meet all requirements of the City of Port St. Lucie Land Development Code.**

- 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.

**RESPONSE: Acknowledged.**

## **SEU REQUIREMENTS**

Section 158.256 of the Port St. Lucie Zoning Code identifies the submittal requirements for an SEU Submittal. Documents required as part of this application are included in full.

**Based on the above and attached information, the applicant respectfully requests approval of the proposed applications.**

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