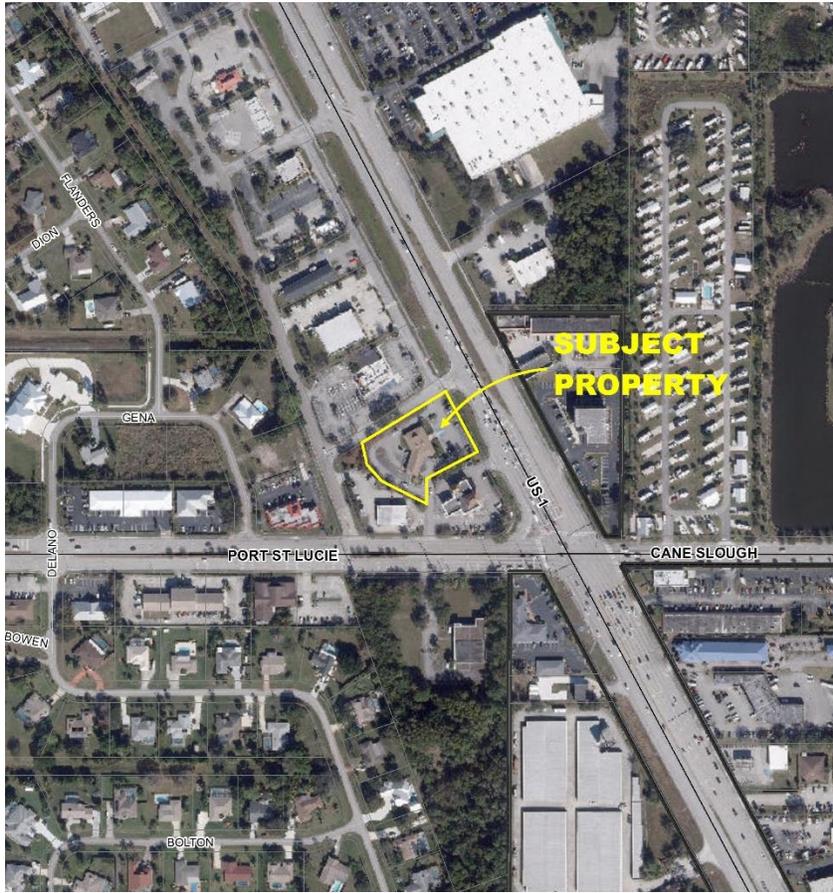




**Murphy USA – Convenience Store and Fuel Service Station  
 Special Exception Use  
 P23-056**



Project Location Map

**SUMMARY**

Applicant’s Request:	The request is for the approval of a 6,396 square foot convenience store with a fuel service station in the General Commercial (CG) Zoning District as per Section 158.124(C)(11) for the Zoning Code.
Agent:	Brad Currie, Engineering Design & Construction, Inc.
Applicant/Property Owner:	Sun Lucie Pooh, LLC
Location:	The site is generally located on the west side of South US Highway 1, north of SE Port St. Lucie Blvd.
Address:	10575 S US Highway 1
Project Planner:	Francis Forman, Planner II

**Project Description**

The owner, Sun Lucie Pooh, LLC, is requesting a special exception use to allow a 2,824 square-foot convenience store with 12 fuel sale positions totaling 6,396 square feet, as per Section 158.124(C)(11) of the General Commercial (CG) zoning district. The Zoning Code lists a convenience store with fuel service station may be permitted only following the review and specific approval thereof by the City Council. There is an existing bank with a drive through that will be demolished for the redevelopment.

**Public Notice Requirements**

Notice of this request for a Special Exception Use was mailed on July 20, 2023, to owners of property within a 750-foot radius of the subject property.

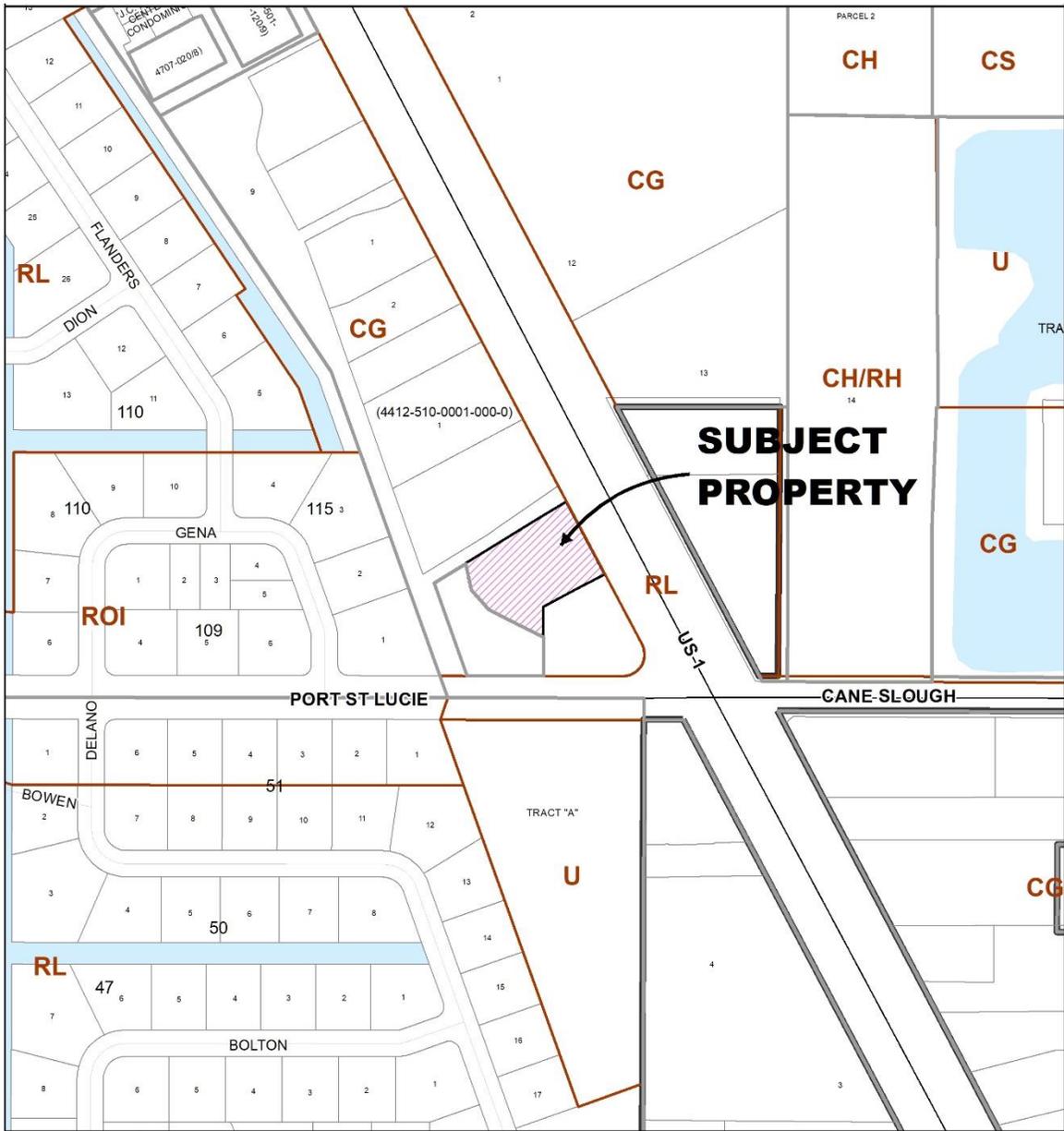
**Location and Site Information**

Parcel Number:	3414-501-4711-000-3
Property Size:	1.17 acres, more or less
Legal Description:	St. Lucie Gardens 12, 37, & 40, Block 1
Future Land Use:	General Commercial (CG)
Existing Zoning:	General Commercial (CG)
Existing Use:	Bank

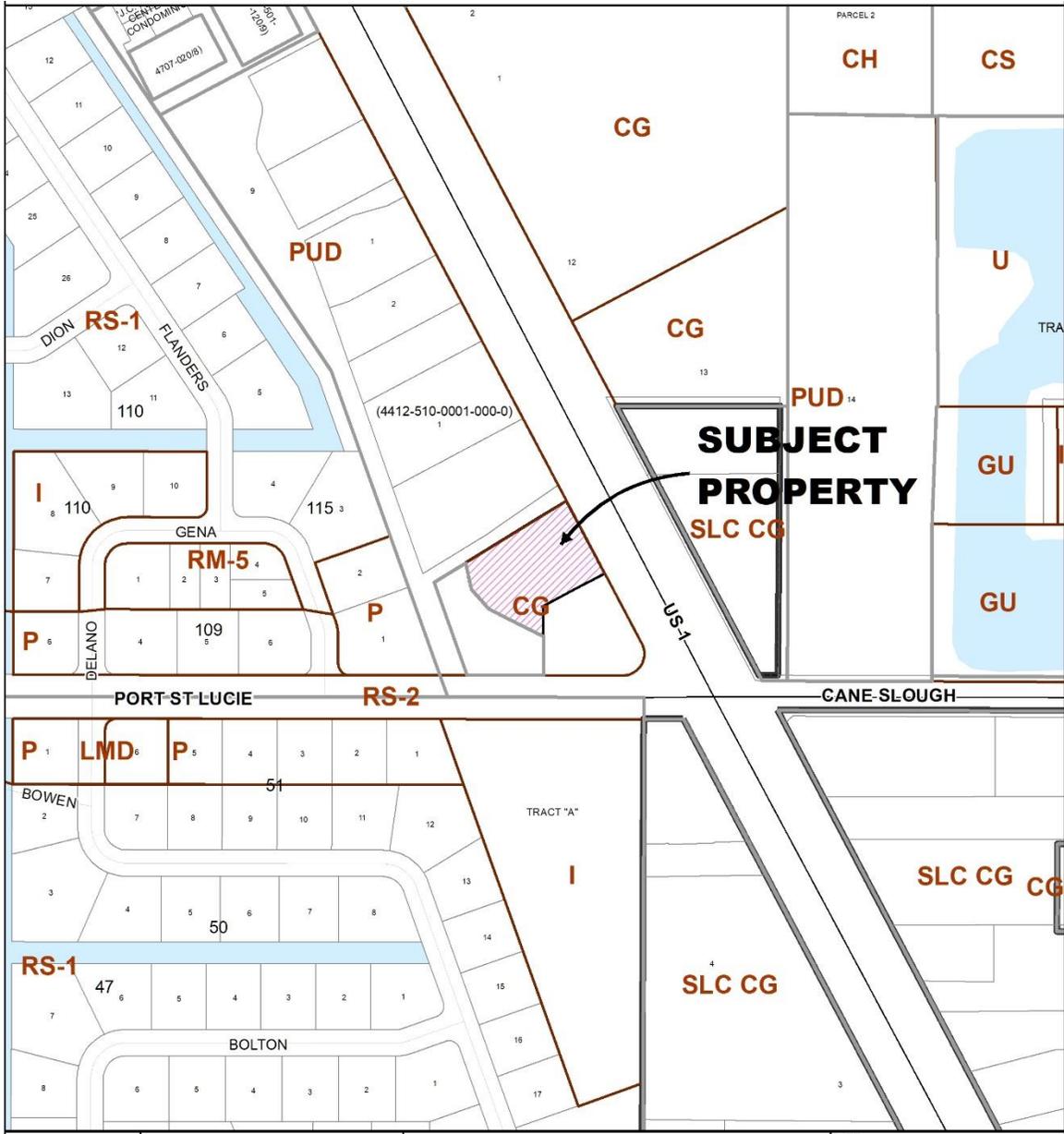
**Surrounding Uses**

Direction	Future Land Use	Zoning	Existing Use
North	CG	PUD	Restaurant, Auto Parts
South	CG	CG	Bank, Vehicle Repair
East	CG, CH/RH	CG, PUD	Bank, Retail, Residential
West	CG	CG, PUD, P	Professional Office

CG – General Commercial      PUD – Planned Unit Development      P – Professional  
CH/RH – Commercial High/Residential High



Future Land Use Map



**Zoning District Map**

## PROJECT ANALYSIS

Special exceptions are uses that would only be allowed under certain conditions and are reviewed to be compatible with the existing neighborhood. Approval of a special exception application shall only be granted by the City Council if it meets the criteria established under Section 158.260 (A) through (L) as noted below. The applicant's response to the criteria is attached to the application. Staff's review is provided below.

### **Evaluation of Special Exception Criteria (Section 158.260)**

(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.

- Applicant's Response: Ingress and egress access currently exists on the north and south of the proposed development via exiting access easements onsite.
- Staff findings: The conceptual site plan demonstrates that the site will have adequate ingress and egress for vehicles. Pedestrian access to the existing sidewalk along US Highway 1 will be required at the time of site plan. The property has existing cross-connectivity to the north and south which provides further ingress and egress.

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

- Applicant's 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.
- Staff findings: Adequate off-street parking is provided for the proposed use within the site. The 2,824 sq. ft. facility requires 14 spaces for the proposed convenience store use. A convenience store use requires one (1) space per two hundred (200) square feet of gross floor area as per Section 158.221(C)(5). The conceptual site plan provides a total of 17 spaces for the convenience store use meeting the code requirement.

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

- Applicant's Response: The property 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.
- Staff findings: Adequate utilities are available to service 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.

- Applicant's Response: The proposed development is adjacent to other commercial developments. The proposed development will supply the appropriate landscape buffering.
- Staff findings: There is adequate screening and buffering proposed for the site.

(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.

- Applicant's Response: 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.
- Staff findings: Exterior lighting for the site will provide for pedestrian and traffic safety and minimize any undue glare to adjacent sights. The lighting will be required to meet the City code requirements.

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

- Applicant's 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.
- Staff findings: Yard setbacks and open space are adequate to properly serve the proposed development and to ensure compatibility with its adjoining properties.

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

- Applicant's 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.
- Staff findings: The proposed Special Exception Use is permitted as defined by Section 158.124(C)(11) - CG (General Commercial) Zoning District and shall conform to all provisions of the City's Zoning Code.

(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.

- Applicant's Response: The proposed use will not impair the health, safety, welfare or convenience of residents and workers in the City. The parcel is currently adjacent to other commercial uses and not adjacent to residential parcels.
- Staff findings: By adhering to City Codes and Regulations, the establishment and operation of the proposed use is not anticipated to 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.

- Applicant's Response: Access to the development is proposed via ingress/egress easement to US Highway 1 and Port St. Lucie Blvd. 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.

- Staff findings: The use is not expected to generate noise that will adversely affect the surrounding uses. There is adequate ingress and egress to the site. There is a bank and tire store to the south which are open during daytime business hours and a restaurant to the north which is open for the lunch and evening hours. This Murphy USA gas station is proposed to operate 24-hours a day, which is compatible with the surrounding uses and will not adversely affect the surrounding uses.

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.

- Applicant's Response: The parcels located to the subject parcel have a Future Land Use Designation of Commercial General (CG) and Planned Unit Development (PUD) which are 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. 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 proposed Dumpster enclosure is located on the southern portion of the site to also reduce any impacts to residential parcels.
- Staff findings: The proposed use is not expected to adversely impact surrounding properties. The proposed building is surrounded by other one-story commercial buildings and has shared access with the properties to the north and south. Exterior lighting will adhere to the City Code requirements.

(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.

- Applicant's Response: Acknowledged. The parcel totals 1.16 acres for development of a Murphy Convenience Store with fuel sales. The site plan will meet all requirements of the City of Port St. Lucie Land Development Code.
- Staff findings: Acknowledged.

(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.

- Applicant's Response: Acknowledged.
- Staff findings: Acknowledged.

**Related Projects**

P23-054 – Murphy USA – Site Plan

P23-055 – Murphy USA – Subdivision Plat

**PLANNING AND ZONING BOARD ACTION OPTIONS**

If the Board finds that the special exception use application is consistent with the criteria as listed in Section 158.260 (A) through (L) of the City code, then the Board may:

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with conditions as recommended by staff

If the board finds that the special exception use application is inconsistent with the criteria as listed in Section 158.260 (A) through (L) of the City code, then the Board may:

- Motion to recommend denial to the City Council

Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to table or continue the hearing or review to a future meeting.