



**Wawa PSL & Becker - Convenience Store and Fueling Station
 Variance (Driveway Access from Becker Road)
 P22-198**



Figure 1. Aerial Map

SUMMARY

Applicant's Request:	To grant a variance to Section 158.222(B)(4) Driveway spacing from Intersections , to allow a driveway to connect from Becker Road to the subject site that is 257 feet west of the intersection of Port St. Lucie Boulevard and Becker Road. A southbound right turn lane exists in this area and the Public Works Department has determined that the driveway is located within the functional area of the intersection.
Application Type:	Variance, Quasi-Judicial
Agent:	Brad Currie, Engineering, Design, and Construction (EDC)
Applicant/Property Owner:	Becker, LLC.
Address:	TBD
Location:	SW former of the intersection of Becker Road and Port St. Lucie Boulevard
Project Planner:	Holly F. Price, AICP, Senior Planner

Project Description

The applicant is proposing to develop a Wawa Convenience Store and Fueling Station at the SW corner of Becker Road and Port St. Lucie Boulevard. This is a major intersection of two arterial roads at the south side of the city. The diagram below shows the block on which the property is located. The property is currently one parcel. The proposed Wawa is located on the east (right) side of the property. See Figure 2. The owner plans to replat the property into two lots with a driveway extending into the property from Becker Road near the middle of the block. The block length along Becker Road is 498 feet and the distance to the proposed driveway is approximately 257 feet.

The Public Works Department has indicated that they would not permit a driveway in the proposed location 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. The southbound turning lane extends approximately 415 feet from Port St. Lucie Boulevard, or almost the entire length of the block. See Figure 3. The proposed driveway would extend from the turning lane. A driveway in this area would cause conflict between drivers wanting to turn right at the corner and drivers wanting to turn right into the property.

Variance Requested: The applicant is requesting a variance to allow a driveway to extend into the site from Becker Road at the middle of the block.



Figure 2. Block and Driveway Location Diagram

Public Works Comments: This application and Traffic Statement prepared by Engineering, Design & Construction, Inc dated June 22, 2022 has been reviewed by the Public Works Department and the transportation elements of the project were found to NOT be in compliance with the requirements of City Code, and Public Works Policy 19-01pwd.

Per City Code Section 158.222(B)(4), the driveway spacing from intersections shall be measured from the right-of-way line of the intersecting street to the midpoint of the driveway. The minimum spacing 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.

This section of City Code is also supported by the adopted City of Port St. Lucie Engineering Standards, Section 8.12.1. Of practical concern to Public Works is the additional number of conflict points that will be created within the functional area of the intersection by the addition of the proposed driveway, and therefore creating a safety concern.

The applicant has discussed the project with the Public Works Department including the director, Heath Stocton, P.E., and they are aware of our concerns and the City Code requirements. This application for a driveway variance is not supported by the Public Works Department.

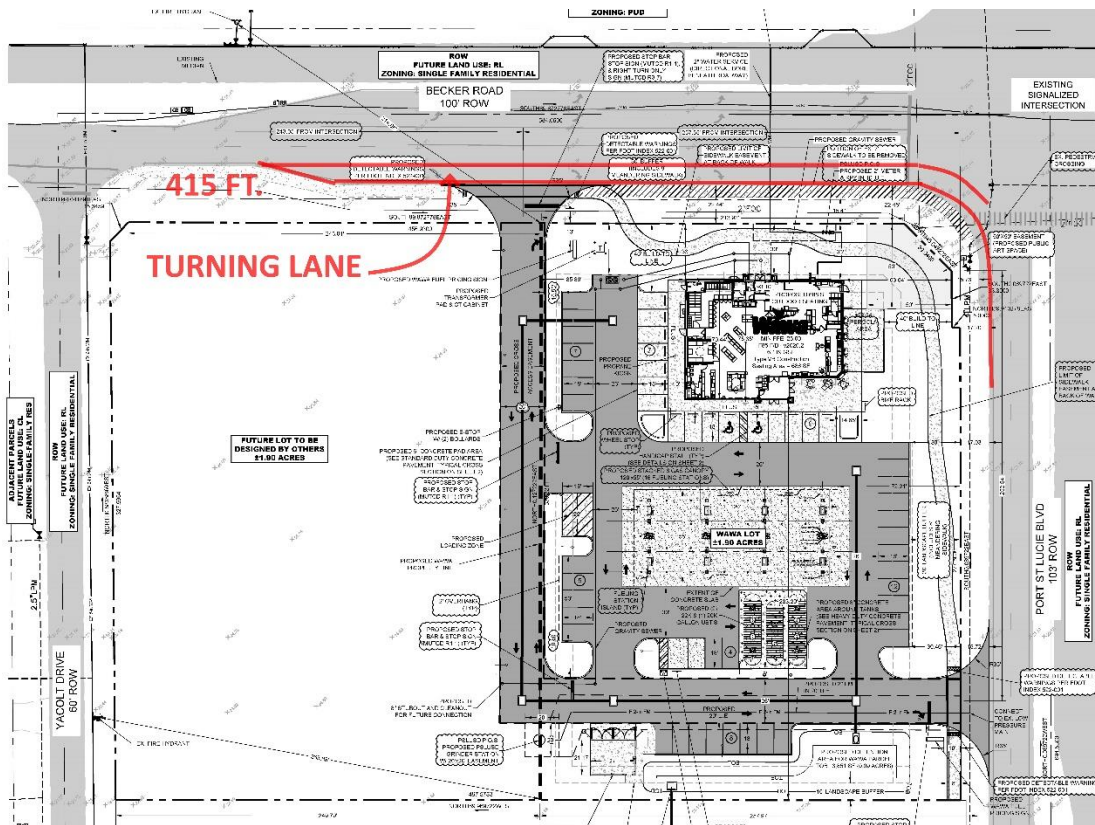


Figure 3. Site Plan Showing Turning Lane

Review Criteria

An application for a variance is reviewed for consistency with Article XV of the Zoning Code, Sections 158.295 through 158.299. Final action on the application (approval or denial) is in the form of an Order of the Planning and Zoning Board following a quasi-judicial public hearing. A vote of approval by five (5) members of the Planning and Zoning Board is required to grant a variance.

Public Notice Requirements

Public notice was mailed to owners within 750 feet and the file was included in the ad for the Planning & Zoning Board’s agenda.

Location and Site Information

Parcel Number:	3420-660-0012-000-4
Property Size:	3.8 acres
Legal Description:	The Eastern Half of Port St Lucie-Section 33- Tract L-Less S 262.18 Ft And Less That Part MPDAF.
Future Land Use:	CG (General Commercial)
Existing Zoning:	CG (General Commercial)
Existing Use:	Vacant Land

Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	CG	PUD	Vacant Land
South	CG	CG	City Pond
East	CG	CG	Vacant Land
West	CL	RS-2	Houses / Vacant Land

CG, General Commercial – RS-2, Single Family Residential - CL, Limited Commercial – PUD, Planned Unit Development

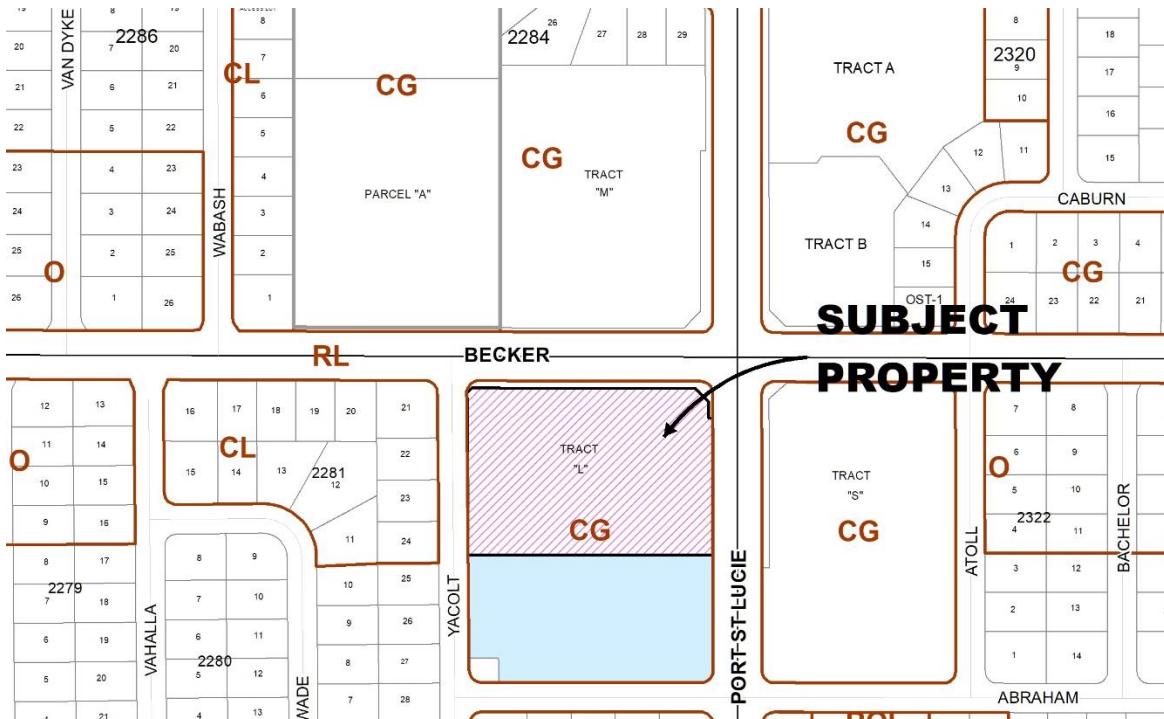


Figure 4. Land Use Map

- *If there is no access from Becker Road to the site, motorists would need to access the site from the side streets. There is access potentially from the two side streets, Port St. Lucie Boulevard and Yacolt Drive. In the past neighbors from Yacolt Drive have voiced opposition to increased traffic on this street due to commercial development. Driveway access onto Yacolt Drive would require Special Exception Use (SEU) approval by the City Council.*
- 2. That the special conditions and circumstances do not result from any action of the applicant.
 - *Staff Findings: See comment #1. The applicant is proposing to add a driveway from Becker Road to the internal site.*
- 3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district.
 - *Staff Findings: See comment #1. Public Works limits the distance of driveways from intersections on many streets throughout the city.*
- 4. That literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant.
 - *Staff Findings: See comment #1. Public Works limits the distance of driveways from intersections on many streets throughout the city.*
- 5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 - *Staff Findings: See comment #1. The turn lane extends along almost the full length of the block. The site would need to have access from the side streets.*
- 6. That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
 - *Staff Findings: See comment #1, #2. Public Works limits the distances of driveways from intersections on many streets throughout the city. Having no driveway access to the site from a turning lane is necessary to reduce conflicts, preserve the safety of the traveling public, and to preserve the function of the adjacent roadway.*
- 7. That there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.
 - *Staff Findings: Acknowledged.*

PLANNING AND ZONING BOARD ACTION OPTIONS

The Board may choose to approve, deny or table the proposed variance. If the Board finds that the variance application is consistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code (listed above), then the Board may:

- Motion to approve
- Motion to approve with conditions

If the Board finds that the variance application is inconsistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code, then the Board may:

- Motion to deny

Should the Board need further clarification or information from either the applicant and/or staff, the Board may:

- Motion to table or continue the hearing or review to a future meeting

(NOTE TO APPLICANTS: Any request for a variance that is denied by the Planning and Zoning Board may be appealed to the Board of Zoning Appeals. Appeal applications are made through the City Clerk's office and must be submitted within 15 days after the Planning and Zoning Board hearing).