Publix Supermarkets (7-Eleven) Special Exception Use (P19-098)

City Council October 28, 2019 John Finizio, Planner III



CityofPSL.com

Requested Application:

The request is to allow a retail convenience store with fuel pumps in the Verano Planned Unit Development (PUD) Zoning District

The proposed hours of operation will be 24 hours a day 7 days a week.



What is a special exception?

It is a way for the City to require special consideration on certain uses on an individual basis for each proposed location and development within the zoning district.

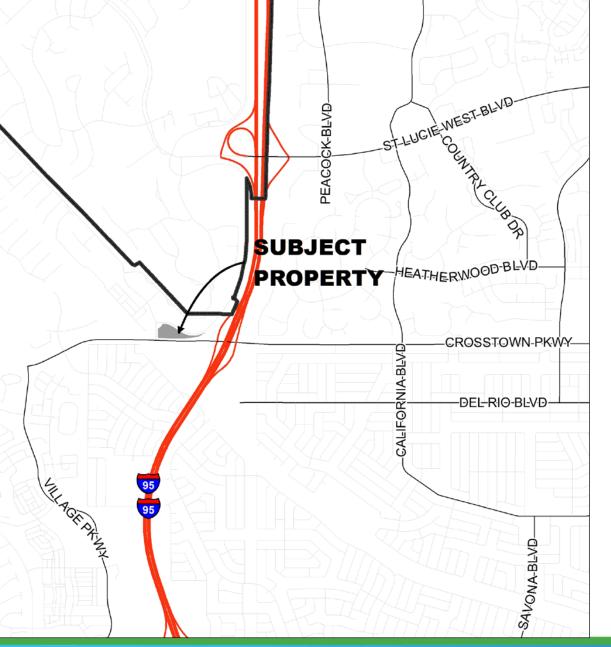
The use is a permitted use by the code, however it is required to be considered as a special exception use.



<u>APPLICANT</u>: Kimley-Horn & Associates, Inc., Matthew Gillespie, P.E.

OWNER: Publix Supermarkets, Inc





- Located on the northeast corner of Crosstown Parkway and Commerce Centre Parkway.
- The property is zoned Verano Planned Unit Development (PUD) 1.
- "Permitted, Accessory and Special Exception Uses in the CG (General Commercial) Future Land Use Area as provided for in Section 158.124 of the City of Port St. Lucie Code of Ordinances."
- Special Exception is for retail convenience store with fuel pumps.
- Convenience store with fuel pumps is permitted as a special exception use as provided for in Section 158.124 (C) (11).



Location Map

Permitted Uses in the General Commercial (CG) Zoning District

- 1. Any retail, business, or personal service use (including repair of personal articles, furniture, and household appliances) conducted wholly within an enclosed building, where repair, processing, or fabrication of products is clearly incidental to and restricted to on-premises sales.
- 2. Horticultural nursery, garden supply sales, or produce stand.
- 3. Office for administrative, business, or professional use.
- 4. Public facility or use.
- 5. Restaurants with or without an alcoholic beverage license for on premises consumption of alcoholic beverages in accordance with Chapter 110.
- 6. Retail sales of alcoholic beverages for incidental on and off premises consumption in accordance with Chapter 110.
- 7. Park or playground or other public recreation.
- 8. Motel, hotel, or motor lodge.
- 9. Enclosed assembly area 3,000 square feet or less, with or without an alcoholic beverage license for on premises consumption of alcoholic beverages , in accordance with Chapter 110.
- 10. Brewpub, provided no more than 10,0 00 kegs (5,000 barrels) of beer are made per year, in accordance with Chapter 110.
- 11. One dwelling unit contained within the development which is incidental to and designed as an integral part of the principal structure.
- 12. Kennel, enclosed.
- 13. Medical Marijuana Dispensing Facilities as set forth in Chapter 120.
- 14. Pharmacy.





Aerial

- The total site is 8.65 acres in size, the 7-Eleven will take approximately 2.17 acres of the overall site.
- There are currently two (2) access points to the property. A right in and right out on Crosstown Parkway, and a full access point on Commerce Centre Parkway.
- An additional right in and right out will be constructed with the development of the 7-Eleven.
- A dedicated U-turn lane on westbound Crosstown Parkway.





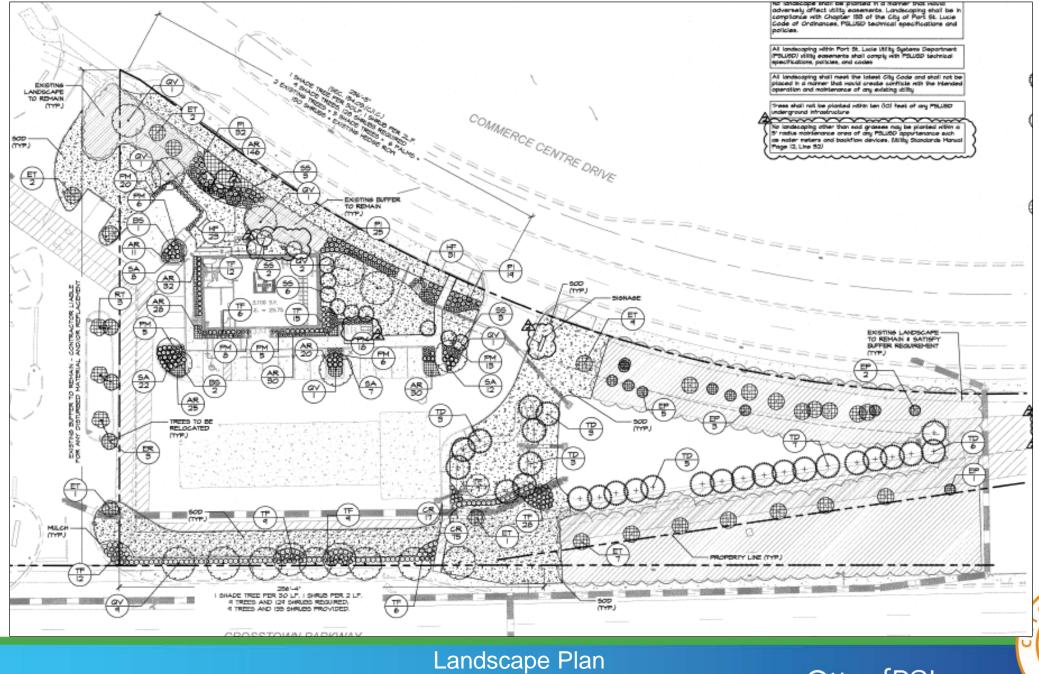
The nearest residential house is over 350 feet away from the proposed 7-Eleven property line.

- An established landscaped berm runs along the length of Commerce Centre Drive
- A 6 foot high architectural wall is located on this berm
- A water management tract is located between the berm and the single family residences

In addition:

- The proposed building set back is 25 feet from the property line
- Additional landscaping is being proposed behind the building

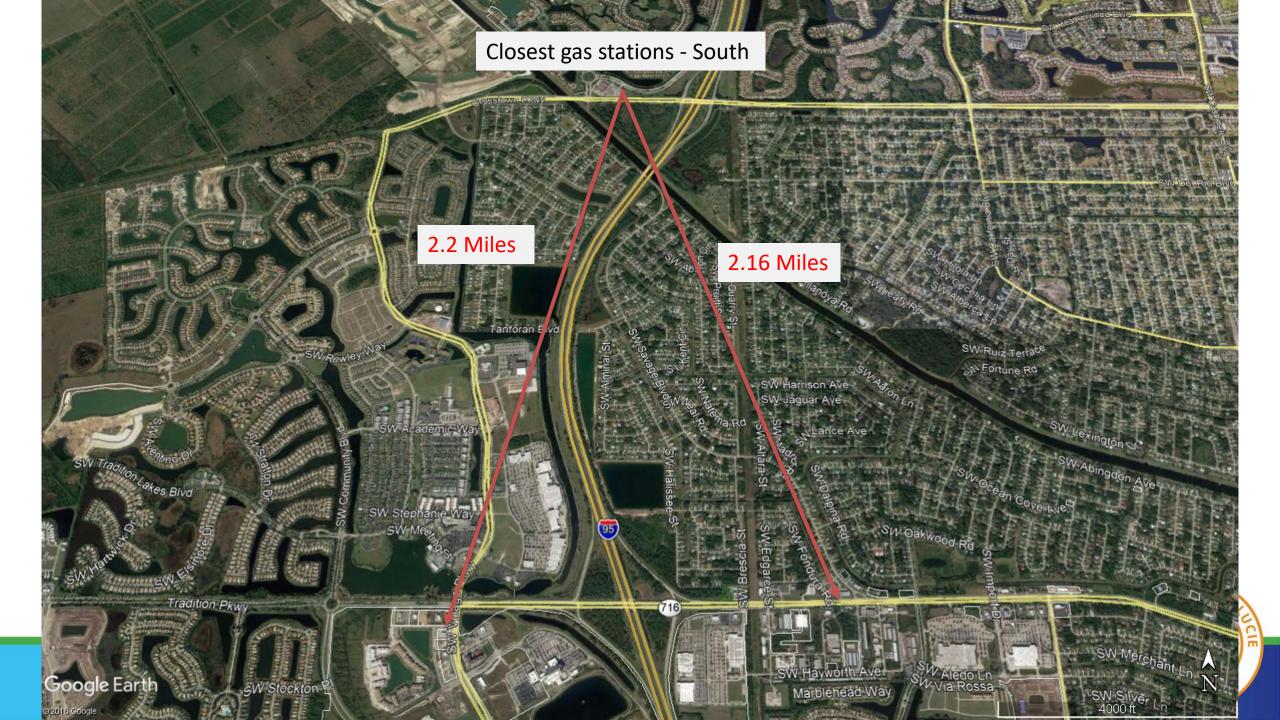




CityofPSL.com







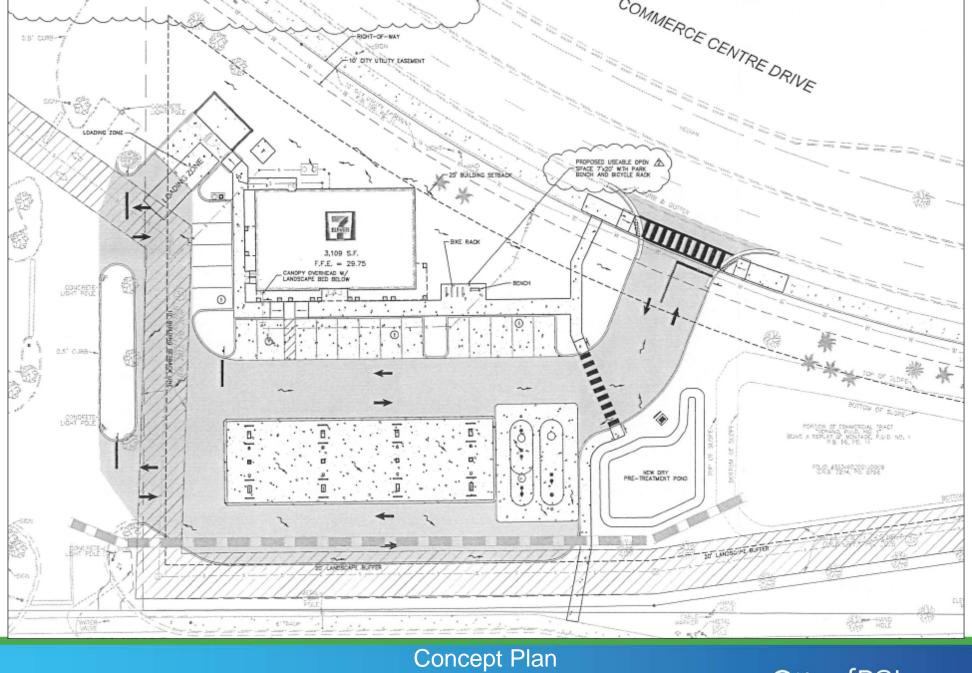
The property is located on the northeast corner of Crosstown Parkway and Commerce Centre Drive.

This site currently has a total of two (2) access points; one (1) on Crosstown Parkway, and one (1) on Commerce Centre Drive.



Required Parking	Provided
16	34
Including a bicycle rack.	







CityofPSL.com

The proposed Special Exception Use (retail convenience store with fuel pumps) is permitted by the Verano PUD 1 PUD document and as defined by §158.126 (C) (11) General Commercial Zoning District and should conform to all provisions of the City's Land Development Regulations.



The project has been reviewed for compliance with the Verano Development of Regional Impact (DRI) Development Order, to ensure the provision of adequate public facilities and services are available with the development impacts.

Staff has reviewed the application for concurrency as this project is found to be in compliance.



The majority of this site is already developed, and the proposal is to construct a 3,109 square foot convenience store with fuel pumps on the vacant portion.

The property is zoned Planned Unit Development (Verano PUD 1) and is surrounded by commercial land uses on three (3) sides (east, south, and west).



PLANNING AND ZOING BOARD RECOMMENDATION:

On October 1, 2019, the Planning and Zoning Board, with a 4-3 vote, recommended approval of this special exception use application with an added condition:

• The applicant will construct a dedicated U-turn lane on Crosstown Parkway.



Neighborhood Meetings:

There were two neighborhood meetings held by the applicant. September 24, 2019 at the Community Center and October 23, 2019 at the Verano Clubhouse (Talavera).

The three main concerns from the neighbors were:

- Traffic
- Buffering
- Safety/crime



7-Eleven @ Publix @ Verano Special Exception # P19-098

CITY OF PORT ST. LUCIE CITY COUNCIL OCTOBER 28, 2019





REQUEST

Special Exception to allow Retail Convenience Store with Fuel Pumps

- Site is located within Verano PUD No.1, Commercial Tract
- Current FLU is General Commercial
- Current Zoning is Verano Planned Unit Development 1 (PUD)
- Proposal is for a 3,109 sq. ft. Convenience Store with 8 fueling pumps
- Owner of parcel is Publix Super Markets
- Site will be leased by 7-Eleven, Inc.





What is coming..... The New 7-Eleven!!!

Fresh Foods

Even though we really, really want to, we promise we won't tell you to keep it fresh with our fresh foods. Except we totally just did.



Sandwiches

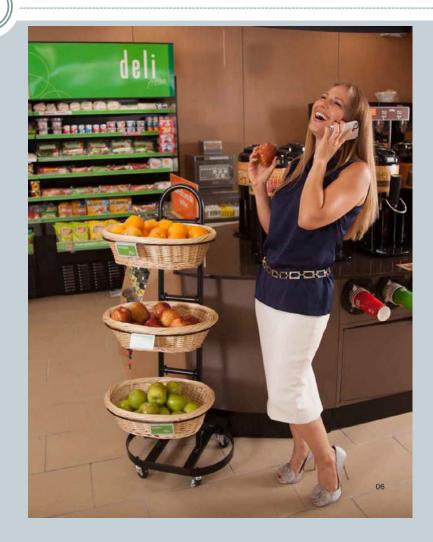
other story. Want to hear it? We sell fruit juice. The end.

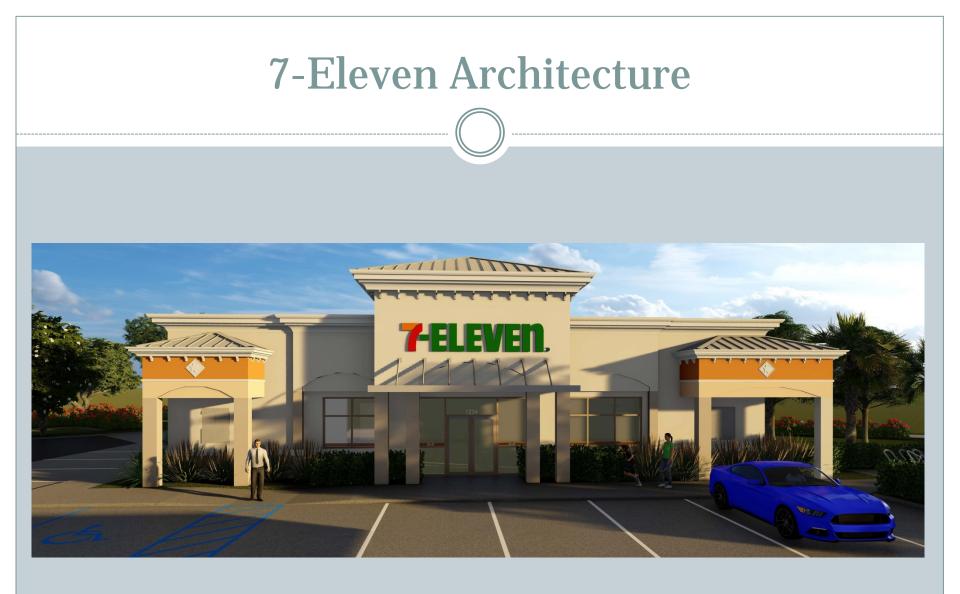
Try a fresh, delicious sandwich like our Southwest Turkey Sandwich with smoked turkey, jack cheese, lettuce and southwest mayo on wheat. We have other varieties, too, like subs and wraps. Because we're cool like that.

alads Fruit a super-fresh We sell seasonal whole

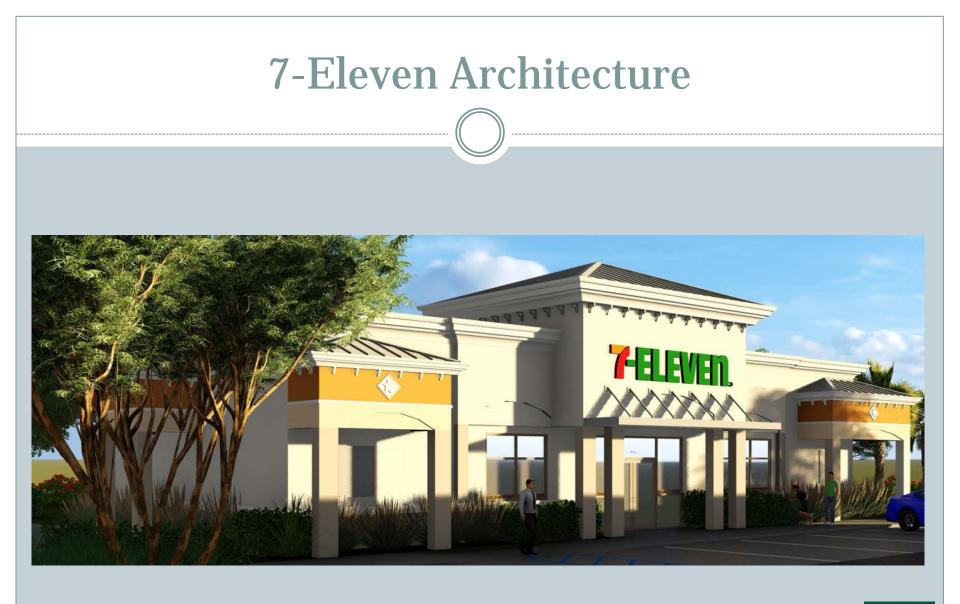
Grab a super-fresh salad. They're like a sandwich with no bread. nd lots more lettuce. Plus g. And a fork. Salads rule!!





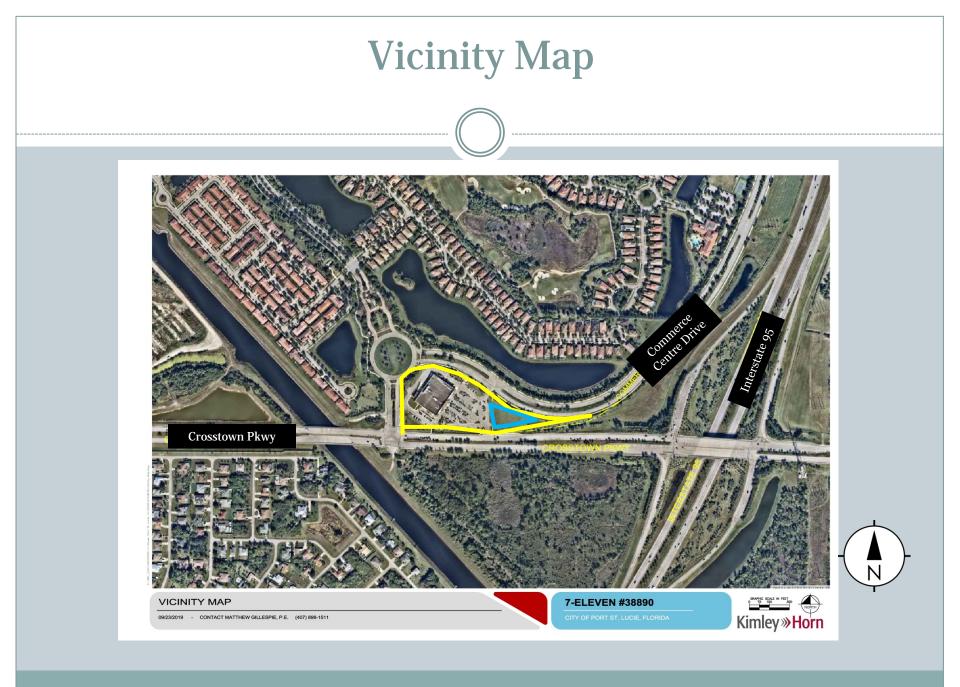








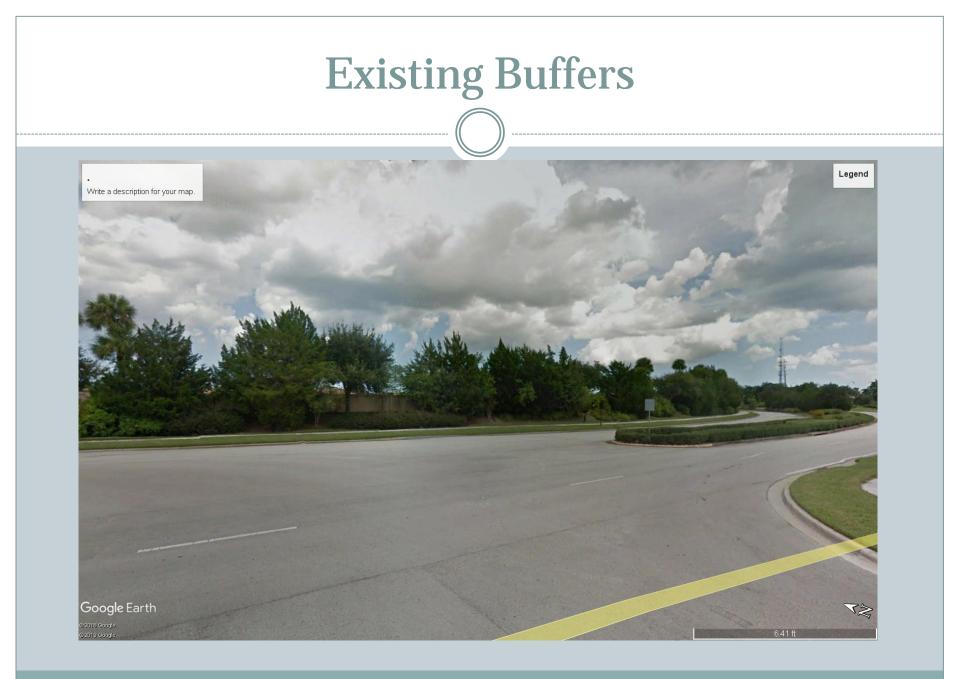






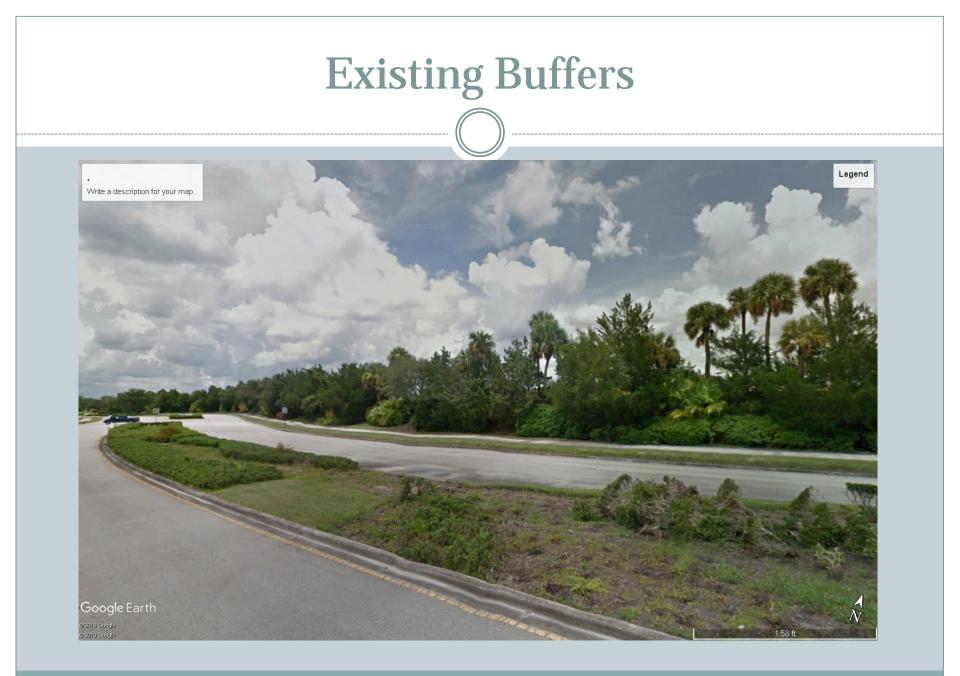




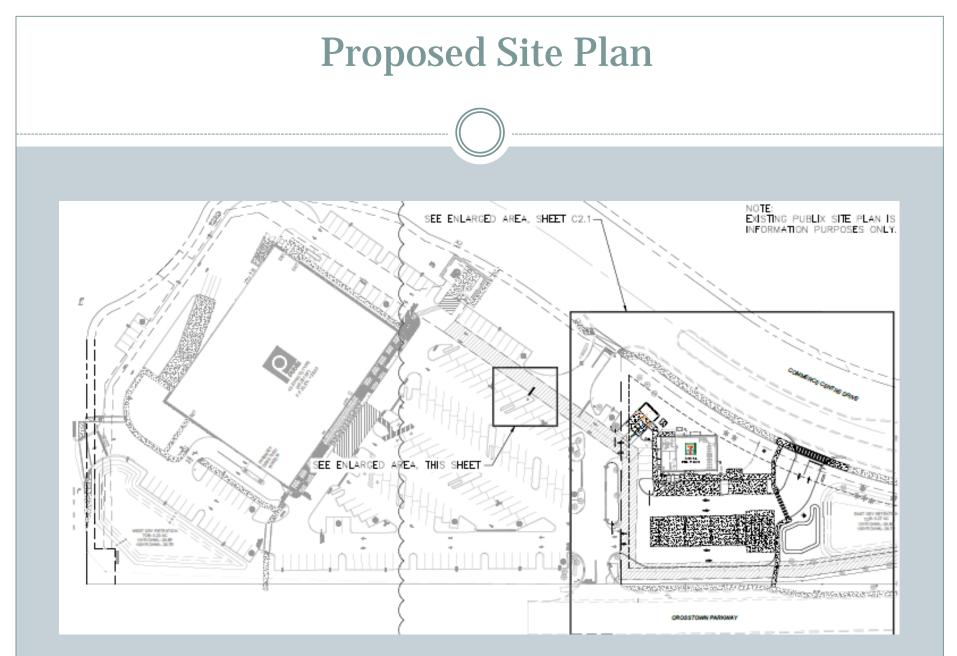


Existing Buffers













Compliance with Section 158.260

(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.

(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

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

(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





Compliance with Section 158.260

(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

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

(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





Compliance with Section 158.260

(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

(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

(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

THANK YOU

Questions?









Christina,

Thank you. I am looking for a one page analysis that illustrates the number of crimes occurring in a defined area, how many of those crimes took place at a convenience store/gas station, and how many took place everywhere else. I am also curious to see how many took place in single family residential neighborhoods in the defined area. For me, it would be especially interesting to see the crime generation rate of the convenience store/gas station versus single family in the same defined area.

Thank you,

G

Gregory J. Oravec Mayor



City of Port St. Lucie 121 SW Port St. Lucie Boulevard Port St. Lucie, Florida 34984 772-871-5159 – Office 772-871-7382 – Fax

From: Christina Flores
Sent: Thursday, October 24, 2019 4:15 PM
To: Greg Oravec; John Carvelli; Jolien Caraballo; Shannon Martin; Stephanie Morgan; Russ Blackburn
Cc: Brandon Dolan; MaryAnn Verillo; Karen Phillips
Subject: RE: REVISED Crime Statics for Gas Stations Near Highways (I-95 & Turnpike)

Good afternoon,

As I previously stated, I requested crime statistics for crimes that happened at gas stations within the ½ mile radius of the Turnpike and I-95. Below and attached, please find that data.

Part 1 Crimes-Gas Stations (Address Only) Near Turnpike & I-95									
January 1, 2017 - September 30, 2019									
Location Areas	Homicide	Sexual Assault	Robbery	Aggravated Assault	Burglary	Larceny	Auto Theft	Arson	Part I Total
Mobil - 640 SE Becker Rd	0	0	0	0	1	1	0	0	2
Mobil - 2173 SW Gatlin Blvd	0	0	0	0	1	0	0	0	1
Race Trac - 2031 SW Gatlin Blvd	0	0	2	0	0	5	0	0	7
Shell - 1924 SW Gatlin Blvd	0	0	0	0	1	2	0	0	3
Wawa - 10308 SW Tradition Square	0	0	1	0	0	1	0	0	2
Shell - 1795 NW St. Lucie West Blvd	0	0	0	1	0	2	0	0	3
Mobil - 1820 SW Fountainview Blvd	0	0	0	0	0	3	0	0	3
Sunoco - 471 SW Port St Lucie Blvd	0	0	0	0	0	0	0	0	0
Shell - 299 SW Port St Lucie Blvd	0	0	0	0	0	1	0	0	1
BP - 233 SW Port St Lucie Blvd	0	0	0	0	0	1	1	0	2
Racetrac - 221 SW Port St Lucie Blvd	0	0	0	0	0	4	1	1	6
7-11 - 1651 SW St Lucie West Blvd	0	0	1	0	0	4	1	0	6
						Tota	al Part I Cri	mes	36

If you have any further questions, please let me know.

Thank you,

Christina Flores

Executive Assistant Office of the Mayor and City Council **City of Port St. Lucie** 121 SW Port St. Lucie Blvd. Port St. Lucie, FL 34984 (772) 873-6472 *office*; (772) 871-7382 *fax* cflores@cityofpsl.com

From: Christina Flores

Sent: Thursday, October 24, 2019 2:15 PM

To: Greg Oravec <Mayor@cityofpsl.com>; John Carvelli <John.Carvelli@cityofpsl.com>; Jolien Caraballo <Jolien.Caraballo@cityofpsl.com>; Shannon Martin <Shannon.Martin@cityofpsl.com>; Stephanie Morgan <Stephanie.Morgan@cityofpsl.com>; Russ Blackburn <rbox crblackburn@cityofpsl.com>

Cc: Brandon Dolan < BDolan@cityofpsl.com>; MaryAnn Verillo < DeliaM@cityofpsl.com>; Karen Phillips < karenp@cityofpsl.com> Subject: RE: REVISED Crime Statics for Gas Stations Near Highways (I-95 & Turnpike)

Good afternoon,

To clarify the previously sent email with crime statistics, the information listed in the graph shows crimes that occurred within a ½ mile radius of those gas stations. The gas stations listed are within a ½ mile radius of the Turnpike or 195. In order to provide further clarification, I have requested to get the crime statistics for the crimes that occurred at the gas stations versus the surrounding area.

Thank you,

Christina Flores

Executive Assistant Office of the Mayor and City Council City of Port St. Lucie 121 SW Port St. Lucie Blvd. Port St. Lucie, FL 34984 (772) 873-6472 office; (772) 871-7382 fax cflores@cityofpsl.com Shannon Martin <<u>Shannon.Martin@cityofpsl.com</u>>; Stephanie Morgan <<u>Stephanie.Morgan@cityofpsl.com</u>>; Russ Blackburn <<u>rblackburn@cityofpsl.com</u>>

Cc: Brandon Dolan <<u>BDolan@cityofpsl.com</u>>; MaryAnn Verillo <<u>DeliaM@cityofpsl.com</u>>; Karen Phillips <<u>karenp@cityofpsl.com</u>>; Subject: FW: REVISED Crime Statics for Gas Stations Near Highways (I-95 & Turnpike)

Good morning,

We received a PRR from a resident and the representative for 7/11 asking for crime statistics for gas stations within ½ mile of the Turnpike and I-95, as well as the 7/11 on St. Lucie West Blvd (which is slightly outside of the ½ mile radius). Due to this information being requested as part of the quasi-judicial agenda item, I wanted to provide it to City Council and make it part of the official record.

Thank you,

Christina Flores

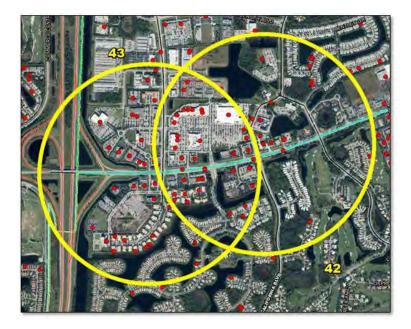
Executive Assistant Office of the Mayor and City Council **City of Port St. Lucie** 121 SW Port St. Lucie Blvd. Port St. Lucie, FL 34984 (772) 873-6472 *office;* (772) 871-7382 *fax* cflores@cityofpsl.com

From: Melissa Jungjohan <<u>mjungjohan@cityofpsl.com</u>>
Sent: Thursday, October 24, 2019 10:53 AM
To: Christina Flores <<u>CFlores@cityofpsl.com</u>>
Cc: Brandon Dolan <<u>BDolan@cityofpsl.com</u>>
Subject: FW: REVISED Crime Statics for Gas Stations Near Highways (I-95 & Turnpike)

Per your request, please find attached the revised spreadsheet with the 7-11 on St. Lucie West Blvd included as a location.

Part 1 Crimes-1/2 Mile Radius to Gas Stations Near Turnpike & I-95 January 1, 2017 - September 30, 2019									
Location Areas	Homicide	Sexual Assault	Robbery	Aggravated Assault	Burglary	Larceny	Auto Theft	Arson	Part I Total
Shell/Mobil-St. Lucie West Blvd	0	0	6	6	12	440	9	0	473
Shell/Mobil/Race Trac-Gatlin Blvd	0	0	4	7	10	285	0	0	306
Shell/BP/Race Trac-Port St Lucie Blvd	0	4	1	5	18	79	7	1	115
Wawa-Traditions	1	0	2	0	6	61	2	0	72
Sunoco-Port St Lucie Blvd	0	2	1	5	7	46	4	0	65
Mobil-Becker Rd	0	0	0	0	2	16	2	0	20
7-11-St. Lucie West Blvd	0	0	4	6	11	376	1	0	398

The 7-11 Part I Crimes overlap with the Shell/Mobil Part I Crimes. See the below attached image. Both data sets include Walmart SLW.



Mr. Gonzalez,

Thank you for writing me about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I cannot really discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

If you have never participated in a quasi-judicial proceeding before, I would encourage you to read the policies and procedures found here,

https://library.municode.com/fl/port_st._lucie/codes/code_of_ordinances? nodeId=TITIIIAD_CH32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212.

Sincerely,

G

Gregory J. Oravec Mayor



City of Port St. Lucie

121 SW Port St. Lucie Boulevard Port St. Lucie, Florida 34984 772-871-5159 – Office 772-871-7382 – Fax

From: lou4170@att.net <lou4170@att.net>
Sent: Thursday, October 24, 2019 3:40 PM
To: Greg Oravec
Subject: FW: 1472 | Publix of Verano | Proposed 7-11

Mr. Mayor, please help us stop the construction of this 24 hour convenience store and gas station.

Please read below.

Respectful and thankful,

Luis Gonzalez 954-562-9575

From: lou4170@att.net <lou4170@att.net>
Sent: Thursday, October 24, 2019 3:33 PM
To: 'Pamela Kitterman' <Pamela.Kitterman@publix.com>
Cc: 'keona.gardner@tcpalm.com' <keona.gardner@tcpalm.com>; 'todd.jones@publix.com'
<todd.jones@publix.com>; 'marty.oliver@publix.com' <marty.oliver@publix.com>;
'jfinizio@cityofpsl.com' <jfinizio@cityofpsl.com>; 'mayoro@cityofpsl.com' <mayoro@cityofpsl.com>
Subject: RE: 1472 | Publix of Verano | Proposed 7-11

Hello Ms. Kitterman, a sincere thank you for responding to my e-mail message.

I have not yet received a response from Mr. Jones or Mr. Oliver nor a response from Councilman Carvelli or Mayor Oravec. I have included Keona Gardner from Treasure Coast Newspapers in this response. Ms. Gardner, thank you for being present at the information meeting yesterday in Verano. Unfortunately there was no one from Publix or the city council present at the meeting.

At the 7 – Eleven information meeting yesterday, one of our residents asked for a show of hands of the people that do not want a 24 convenience store and gas station at the entrance of the community. The response was that at least 99% of the people raised their hand!

In your response you emphasize that Publix will continue to strive to be a good neighbor. Publix has failed to be a good neighbor to the residents of Verano by not allowing us to give you our opinions before leasing this site to a 24 hour convenience store and gas station. This action will attract crime

and allow gasoline contaminants to seep into a water retention pond and lake that are just a couple of hundred feet away.

I am hopeful that the City Council and Mayor Oravec will listen and respond favorably to their constituents in Port St. Lucie at the city council meeting on October 28, 2019.

Again, I appreciate your response and yet it is obvious that Publix has placed profits above your mission of being a good neighbor.

I respectfully ask for a response from your CEO Mr. Jones and the Publix public relations department.

Sincerely,

Luis Gonzalez Lou4170@att.net

From: Pamela Kitterman <<u>Pamela.Kitterman@publix.com</u>>
Sent: Wednesday, October 23, 2019 9:21 AM
To: Lou4170@att.net
Subject: 1472 | Publix of Verano | Proposed 7-11

Good morning! Thank you for reaching out to Publix regarding your concerns referenced in your email below. Publix recognizes that you have these concerns and we will communicate them directly to the tenant so that they may be made aware as well. We want to emphasize that Publix has and will continue to strive to be a good neighbor and provide a service to this community as both a quality food retailer and landlord. With that, we feel this tenant can also provide additional products, services and job opportunities to this area while striving to establish themselves as a beneficial part of this community. We do think it is important to note that if there are contractual violations that occur, Publix will look to enforce its rights under the lease agreement with the tenant accordingly.

Have a blessed day!

Pamela Kitterman

Regional Leasing Manager Publix Super Markets, Inc. | Real Estate Department 3300 Publix Corporate Pkwy. Lakeland, FL 33811 Office: 863.688.1188 ext. 53269

Direct: 863.284.5528 Mobile: 863.698.5090 Fax: 863.616.5815 | <u>pamela.kitterman@publix.com</u>

Dear Councilman Carvelli,

My name is Luis Gonzalez and I live at 9581 SW Nuova Way in the Verano neighborhood of Port St. Lucie.

I am very concerned with the proposed 7 Eleven gas station just west of the Publix Supermarket on Crosstown Parkway. Recently, the zoning and planning board voted to proceed with a special use exception for this plot of land.

My home is approximately 500 to 600 feet form the proposed site. My neighbors and I are very upset that Publix Supermarkets and the Port St. Lucie zoning board would even consider this proposal for a 24 hour 7 Eleven and gas station. I am very confident that Publix and the zoning board can find a suitable and profitable alternative for this site.

I respectfully ask that you, Mayor Oravec and all the members of the city council vote to deny this special exception. The plot of land to be used is not designed structurally and environmentally for this purpose.

Please consider the following:

- It is a well known fact that 24 hour convenience stores are popular targets for a variety of crimes including armed robbery and harm perpetrated on employees and customers
- Please protect the Verano residents, retail employees, customers and law enforcement from the increase in crime and negative impact to the environment of a 24 hour convenience store and gas station
- Publix employees and customers will also be impacted by the increase in crime
- The resulting rise in crime also increases the cost of crime prevention efforts by the city and county of Port St. Lucie
- The location is adjacent to a water retention pond that would allow gas station contaminants to seep into the local water

and has the potential to cause harm to residents located just a few hundred yards away

- There is a residential lake just across the street from the site just a few hundred yards away that can be contaminated and kill off fish and wildlife nesting areas
- Residents of Verano within a few hundred yards of the site will experience

unacceptable noise and exhaust resulting from dramatically increased vehicle and truck traffic

- This proposed 24 hour convenience store and gas station next door does not fit the Publix mission: "dedicated to the dignity, value and employment security or our associates"
- This proposed store and gas station does not support the Publix commitment to "Green Sustainability efforts"
- I respectfully ask that the City Council take action and deny the special exception for this project.

I request a timely response in writing.

Sincerely, Luis A. Gonzalez Lou4170@att.net Dear Mr. & Mrs. McLaughlin,

Thank you for writing me about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I cannot really discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

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https://library.municode.com/fl/port_st._lucie/codes/code_of_ordinances? nodeId=TITIIIAD_CH32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212.

Sincerely,

G

Gregory J. Oravec Mayor



City of Port St. Lucie

121 SW Port St. Lucie Boulevard Port St. Lucie, Florida 34984 772-871-5159 – Office 772-871-7382 – Fax

From: Karen McLaughlin <mclaughlinkaren17@gmail.com>
Sent: Thursday, October 24, 2019 1:21 PM
To: Greg Oravec; Shannon Martin; Christina Flores
Subject: APPROVAL of 7-Eleven at PGA Verano

Good afternoon,

We would like to express our desire that the proposed exception for the 7-Eleven store and gas station at the Publix in PGA Verano be APPROVED. The 7-Eleven team members came to PGA Verano on Wednesday 10/23 and were not only extremely well prepared with slides and detailed information, they were professional and courteous to all. Regrettably, we cannot say the same for the Verano Residents who felt this meeting was the perfect opportunity for them to be rude, obnoxious and 'know' what is good for everyone else.

The City of Port Saint Lucie is growing in leaps and bounds. The team from 7-Eleven made it abundantly clear that they have every intention of being good neighbors. As the western part of this City expands, having a gas station nearby is going to be warranted and frankly, as of right now, is needed.

Please do not be dissuaded by a handful of residents who have the 'not in my backyard' mentality.

Thank you for your time and attention,

Sincerely,

Karen and Richard McLaughlin

10555 SW Capraia Way

Port Saint Lucie, FL 34986

From:	<u>Karen Phillips</u>
To:	Sally Walsh
Cc:	Bryan Pankhurst
Subject:	For 10/28 - FW: 7-Eleven
Date:	Friday, October 25, 2019 8:16:17 AM
Importance:	High

Karen A. Phillips, City Clerk, CMC 772-871-7325 Karenp@cityofpsl.com

-----Original Message-----From: Brandon Dolan <BDolan@cityofpsl.com> Sent: Friday, October 25, 2019 8:14 AM To: Karen Phillips <karenp@cityofpsl.com> Subject: FW: 7-Eleven

For the record.

"A City for All Ages" Brandon Dolan

Executive Assistant

City of Port St. Lucie

121 S.W. Port St. Lucie Blvd

Port St. Lucie, Florida 34984-5099

772.871.5159 office 772.871.7382 fax

bdolan@cityofpsl.com www.cityofpsl.com www.retailstrategies.com/portstlucie

-----Original Message-----From: Clarence W. Kearney <cpacwk@hotmail.com> Sent: Thursday, October 24, 2019 5:35 PM To: Greg Oravec <Mayor@cityofpsl.com>; Shannon Martin <Shannon.Martin@cityofpsl.com>; Stephanie Morgan <Stephanie.Morgan@cityofpsl.com>; Jolien Caraballo <Jolien.Caraballo@cityofpsl.com>; John Carvelli <John.Carvelli@cityofpsl.com>; MaryAnn Verillo <DeliaM@cityofpsl.com>; Christina Flores <CFlores@cityofpsl.com>; Brandon Dolan <BDolan@cityofpsl.com> Subject: 7-Eleven

Ladies and Gentlemen - I heard how badly the Verano Group treated the 7-Eleven people last night and sadly was not surprised. They do not represent the majority of silent residents of Verano. Regards, Clarence Kearney

Sent from my iPhone Clarence W. Kearney, CPA 10311 SW VISCONTI WAY Port St Lucie, FL. 34986

From:	<u>Karen Phillips</u>
To:	Sally Walsh
Cc:	Bryan Pankhurst
Subject:	For 10/28 - FW: 7-Eleven
Date:	Friday, October 25, 2019 8:16:17 AM
Importance:	High

Karen A. Phillips, City Clerk, CMC 772-871-7325 Karenp@cityofpsl.com

-----Original Message-----From: Brandon Dolan <BDolan@cityofpsl.com> Sent: Friday, October 25, 2019 8:14 AM To: Karen Phillips <karenp@cityofpsl.com> Subject: FW: 7-Eleven

For the record.

"A City for All Ages" Brandon Dolan

Executive Assistant

City of Port St. Lucie

121 S.W. Port St. Lucie Blvd

Port St. Lucie, Florida 34984-5099

772.871.5159 office 772.871.7382 fax

bdolan@cityofpsl.com www.cityofpsl.com www.retailstrategies.com/portstlucie

-----Original Message-----From: Clarence W. Kearney <cpacwk@hotmail.com> Sent: Thursday, October 24, 2019 5:35 PM To: Greg Oravec <Mayor@cityofpsl.com>; Shannon Martin <Shannon.Martin@cityofpsl.com>; Stephanie Morgan <Stephanie.Morgan@cityofpsl.com>; Jolien Caraballo <Jolien.Caraballo@cityofpsl.com>; John Carvelli <John.Carvelli@cityofpsl.com>; MaryAnn Verillo <DeliaM@cityofpsl.com>; Christina Flores <CFlores@cityofpsl.com>; Brandon Dolan <BDolan@cityofpsl.com> Subject: 7-Eleven

Ladies and Gentlemen - I heard how badly the Verano Group treated the 7-Eleven people last night and sadly was not surprised. They do not represent the majority of silent residents of Verano. Regards, Clarence Kearney

Sent from my iPhone Clarence W. Kearney, CPA 10311 SW VISCONTI WAY Port St Lucie, FL. 34986

Mr. Gonzalez,

Thank you for writing me about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I cannot really discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

If you have never participated in a quasi-judicial proceeding before, I would encourage you to read the policies and procedures found here,

https://library.municode.com/fl/port_st._lucie/codes/code_of_ordinances? nodeId=TITIIIAD_CH32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212.

Sincerely,

G

Gregory J. Oravec Mayor



City of Port St. Lucie

121 SW Port St. Lucie Boulevard Port St. Lucie, Florida 34984 772-871-5159 – Office 772-871-7382 – Fax

From: lou4170@att.net <lou4170@att.net>
Sent: Thursday, October 24, 2019 3:40 PM
To: Greg Oravec
Subject: FW: 1472 | Publix of Verano | Proposed 7-11

Mr. Mayor, please help us stop the construction of this 24 hour convenience store and gas station.

Please read below.

Respectful and thankful,

Luis Gonzalez 954-562-9575

From: lou4170@att.net <lou4170@att.net>
Sent: Thursday, October 24, 2019 3:33 PM
To: 'Pamela Kitterman' <Pamela.Kitterman@publix.com>
Cc: 'keona.gardner@tcpalm.com' <keona.gardner@tcpalm.com>; 'todd.jones@publix.com'
<todd.jones@publix.com>; 'marty.oliver@publix.com' <marty.oliver@publix.com>;
'jfinizio@cityofpsl.com' <jfinizio@cityofpsl.com>; 'mayoro@cityofpsl.com' <mayoro@cityofpsl.com>
Subject: RE: 1472 | Publix of Verano | Proposed 7-11

Hello Ms. Kitterman, a sincere thank you for responding to my e-mail message.

I have not yet received a response from Mr. Jones or Mr. Oliver nor a response from Councilman Carvelli or Mayor Oravec. I have included Keona Gardner from Treasure Coast Newspapers in this response. Ms. Gardner, thank you for being present at the information meeting yesterday in Verano. Unfortunately there was no one from Publix or the city council present at the meeting.

At the 7 – Eleven information meeting yesterday, one of our residents asked for a show of hands of the people that do not want a 24 convenience store and gas station at the entrance of the community. The response was that at least 99% of the people raised their hand!

In your response you emphasize that Publix will continue to strive to be a good neighbor. Publix has failed to be a good neighbor to the residents of Verano by not allowing us to give you our opinions before leasing this site to a 24 hour convenience store and gas station. This action will attract crime

and allow gasoline contaminants to seep into a water retention pond and lake that are just a couple of hundred feet away.

I am hopeful that the City Council and Mayor Oravec will listen and respond favorably to their constituents in Port St. Lucie at the city council meeting on October 28, 2019.

Again, I appreciate your response and yet it is obvious that Publix has placed profits above your mission of being a good neighbor.

I respectfully ask for a response from your CEO Mr. Jones and the Publix public relations department.

Sincerely,

Luis Gonzalez Lou4170@att.net

From: Pamela Kitterman <<u>Pamela.Kitterman@publix.com</u>>
Sent: Wednesday, October 23, 2019 9:21 AM
To: Lou4170@att.net
Subject: 1472 | Publix of Verano | Proposed 7-11

Good morning! Thank you for reaching out to Publix regarding your concerns referenced in your email below. Publix recognizes that you have these concerns and we will communicate them directly to the tenant so that they may be made aware as well. We want to emphasize that Publix has and will continue to strive to be a good neighbor and provide a service to this community as both a quality food retailer and landlord. With that, we feel this tenant can also provide additional products, services and job opportunities to this area while striving to establish themselves as a beneficial part of this community. We do think it is important to note that if there are contractual violations that occur, Publix will look to enforce its rights under the lease agreement with the tenant accordingly.

Have a blessed day!

Pamela Kitterman

Regional Leasing Manager Publix Super Markets, Inc. | Real Estate Department 3300 Publix Corporate Pkwy. Lakeland, FL 33811 Office: 863.688.1188 ext. 53269

Direct: 863.284.5528 Mobile: 863.698.5090 Fax: 863.616.5815 | <u>pamela.kitterman@publix.com</u>

Dear Councilman Carvelli,

My name is Luis Gonzalez and I live at 9581 SW Nuova Way in the Verano neighborhood of Port St. Lucie.

I am very concerned with the proposed 7 Eleven gas station just west of the Publix Supermarket on Crosstown Parkway. Recently, the zoning and planning board voted to proceed with a special use exception for this plot of land.

My home is approximately 500 to 600 feet form the proposed site. My neighbors and I are very upset that Publix Supermarkets and the Port St. Lucie zoning board would even consider this proposal for a 24 hour 7 Eleven and gas station. I am very confident that Publix and the zoning board can find a suitable and profitable alternative for this site.

I respectfully ask that you, Mayor Oravec and all the members of the city council vote to deny this special exception. The plot of land to be used is not designed structurally and environmentally for this purpose.

Please consider the following:

- It is a well known fact that 24 hour convenience stores are popular targets for a variety of crimes including armed robbery and harm perpetrated on employees and customers
- Please protect the Verano residents, retail employees, customers and law enforcement from the increase in crime and negative impact to the environment of a 24 hour convenience store and gas station
- Publix employees and customers will also be impacted by the increase in crime
- The resulting rise in crime also increases the cost of crime prevention efforts by the city and county of Port St. Lucie
- The location is adjacent to a water retention pond that would allow gas station contaminants to seep into the local water

and has the potential to cause harm to residents located just a few hundred yards away

- There is a residential lake just across the street from the site just a few hundred yards away that can be contaminated and kill off fish and wildlife nesting areas
- Residents of Verano within a few hundred yards of the site will experience

unacceptable noise and exhaust resulting from dramatically increased vehicle and truck traffic

- This proposed 24 hour convenience store and gas station next door does not fit the Publix mission: "dedicated to the dignity, value and employment security or our associates"
- This proposed store and gas station does not support the Publix commitment to "Green Sustainability efforts"
- I respectfully ask that the City Council take action and deny the special exception for this project.

I request a timely response in writing.

Sincerely, Luis A. Gonzalez Lou4170@att.net Dear Mr. & Mrs. McLaughlin,

Thank you for writing me about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I cannot really discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

If you have never participated in a quasi-judicial proceeding before, I would encourage you to read the policies and procedures found here,

https://library.municode.com/fl/port_st._lucie/codes/code_of_ordinances? nodeId=TITIIIAD_CH32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212.

Sincerely,

G

Gregory J. Oravec Mayor



City of Port St. Lucie

121 SW Port St. Lucie Boulevard Port St. Lucie, Florida 34984 772-871-5159 – Office 772-871-7382 – Fax

From: Karen McLaughlin <mclaughlinkaren17@gmail.com>
Sent: Thursday, October 24, 2019 1:21 PM
To: Greg Oravec; Shannon Martin; Christina Flores
Subject: APPROVAL of 7-Eleven at PGA Verano

Good afternoon,

We would like to express our desire that the proposed exception for the 7-Eleven store and gas station at the Publix in PGA Verano be APPROVED. The 7-Eleven team members came to PGA Verano on Wednesday 10/23 and were not only extremely well prepared with slides and detailed information, they were professional and courteous to all. Regrettably, we cannot say the same for the Verano Residents who felt this meeting was the perfect opportunity for them to be rude, obnoxious and 'know' what is good for everyone else.

The City of Port Saint Lucie is growing in leaps and bounds. The team from 7-Eleven made it abundantly clear that they have every intention of being good neighbors. As the western part of this City expands, having a gas station nearby is going to be warranted and frankly, as of right now, is needed.

Please do not be dissuaded by a handful of residents who have the 'not in my backyard' mentality.

Thank you for your time and attention,

Sincerely,

Karen and Richard McLaughlin

10555 SW Capraia Way

Port Saint Lucie, FL 34986



Christina,

Thank you. I am looking for a one page analysis that illustrates the number of crimes occurring in a defined area, how many of those crimes took place at a convenience store/gas station, and how many took place everywhere else. I am also curious to see how many took place in single family residential neighborhoods in the defined area. For me, it would be especially interesting to see the crime generation rate of the convenience store/gas station versus single family in the same defined area.

Thank you,

G

Gregory J. Oravec Mayor



City of Port St. Lucie 121 SW Port St. Lucie Boulevard Port St. Lucie, Florida 34984 772-871-5159 – Office 772-871-7382 – Fax

From: Christina Flores
Sent: Thursday, October 24, 2019 4:15 PM
To: Greg Oravec; John Carvelli; Jolien Caraballo; Shannon Martin; Stephanie Morgan; Russ Blackburn
Cc: Brandon Dolan; MaryAnn Verillo; Karen Phillips
Subject: RE: REVISED Crime Statics for Gas Stations Near Highways (I-95 & Turnpike)

Good afternoon,

As I previously stated, I requested crime statistics for crimes that happened at gas stations within the ½ mile radius of the Turnpike and I-95. Below and attached, please find that data.

Part 1 Crimes-Gas Stations (Address Only) Near Turnpike & I-95									
January 1, 2017 - September 30, 2019									
Location Areas	Homicide	Sexual Assault	Robbery	Aggravated Assault	Burglary	Larceny	Auto Theft	Arson	Part I Total
Mobil - 640 SE Becker Rd	0	0	0	0	1	1	0	0	2
Mobil - 2173 SW Gatlin Blvd	0	0	0	0	1	0	0	0	1
Race Trac - 2031 SW Gatlin Blvd	0	0	2	0	0	5	0	0	7
Shell - 1924 SW Gatlin Blvd	0	0	0	0	1	2	0	0	3
Wawa - 10308 SW Tradition Square	0	0	1	0	0	1	0	0	2
Shell - 1795 NW St. Lucie West Blvd	0	0	0	1	0	2	0	0	3
Mobil - 1820 SW Fountainview Blvd	0	0	0	0	0	3	0	0	3
Sunoco - 471 SW Port St Lucie Blvd	0	0	0	0	0	0	0	0	0
Shell - 299 SW Port St Lucie Blvd	0	0	0	0	0	1	0	0	1
BP - 233 SW Port St Lucie Blvd	0	0	0	0	0	1	1	0	2
Racetrac - 221 SW Port St Lucie Blvd	0	0	0	0	0	4	1	1	6
7-11 - 1651 SW St Lucie West Blvd	0	0	1	0	0	4	1	0	6
						Tota	al Part I Cri	mes	36

If you have any further questions, please let me know.

Thank you,

Christina Flores

Executive Assistant Office of the Mayor and City Council **City of Port St. Lucie** 121 SW Port St. Lucie Blvd. Port St. Lucie, FL 34984 (772) 873-6472 *office*; (772) 871-7382 *fax* cflores@cityofpsl.com

From: Christina Flores

Sent: Thursday, October 24, 2019 2:15 PM

To: Greg Oravec <Mayor@cityofpsl.com>; John Carvelli <John.Carvelli@cityofpsl.com>; Jolien Caraballo <Jolien.Caraballo@cityofpsl.com>; Shannon Martin <Shannon.Martin@cityofpsl.com>; Stephanie Morgan <Stephanie.Morgan@cityofpsl.com>; Russ Blackburn <rbox crblackburn@cityofpsl.com>

Cc: Brandon Dolan < BDolan@cityofpsl.com>; MaryAnn Verillo < DeliaM@cityofpsl.com>; Karen Phillips < karenp@cityofpsl.com> Subject: RE: REVISED Crime Statics for Gas Stations Near Highways (I-95 & Turnpike)

Good afternoon,

To clarify the previously sent email with crime statistics, the information listed in the graph shows crimes that occurred within a ½ mile radius of those gas stations. The gas stations listed are within a ½ mile radius of the Turnpike or 195. In order to provide further clarification, I have requested to get the crime statistics for the crimes that occurred at the gas stations versus the surrounding area.

Thank you,

Christina Flores

Executive Assistant Office of the Mayor and City Council City of Port St. Lucie 121 SW Port St. Lucie Blvd. Port St. Lucie, FL 34984 (772) 873-6472 office; (772) 871-7382 fax cflores@cityofpsl.com Shannon Martin <<u>Shannon.Martin@cityofpsl.com</u>>; Stephanie Morgan <<u>Stephanie.Morgan@cityofpsl.com</u>>; Russ Blackburn <<u>rblackburn@cityofpsl.com</u>>

Cc: Brandon Dolan <<u>BDolan@cityofpsl.com</u>>; MaryAnn Verillo <<u>DeliaM@cityofpsl.com</u>>; Karen Phillips <<u>karenp@cityofpsl.com</u>>; Subject: FW: REVISED Crime Statics for Gas Stations Near Highways (I-95 & Turnpike)

Good morning,

We received a PRR from a resident and the representative for 7/11 asking for crime statistics for gas stations within ½ mile of the Turnpike and I-95, as well as the 7/11 on St. Lucie West Blvd (which is slightly outside of the ½ mile radius). Due to this information being requested as part of the quasi-judicial agenda item, I wanted to provide it to City Council and make it part of the official record.

Thank you,

Christina Flores

Executive Assistant Office of the Mayor and City Council **City of Port St. Lucie** 121 SW Port St. Lucie Blvd. Port St. Lucie, FL 34984 (772) 873-6472 *office;* (772) 871-7382 *fax* cflores@cityofpsl.com

From: Melissa Jungjohan <<u>mjungjohan@cityofpsl.com</u>>
Sent: Thursday, October 24, 2019 10:53 AM
To: Christina Flores <<u>CFlores@cityofpsl.com</u>>
Cc: Brandon Dolan <<u>BDolan@cityofpsl.com</u>>
Subject: FW: REVISED Crime Statics for Gas Stations Near Highways (I-95 & Turnpike)

Per your request, please find attached the revised spreadsheet with the 7-11 on St. Lucie West Blvd included as a location.

Part 1 Crimes-1/2 Mile Radius to Gas Stations Near Turnpike & I-95 January 1, 2017 - September 30, 2019									
Location Areas	Homicide	Sexual Assault	Robbery	Aggravated Assault	Burglary	Larceny	Auto Theft	Arson	Part I Total
Shell/Mobil-St. Lucie West Blvd	0	0	6	6	12	440	9	0	473
Shell/Mobil/Race Trac-Gatlin Blvd	0	0	4	7	10	285	0	0	306
Shell/BP/Race Trac-Port St Lucie Blvd	0	4	1	5	18	79	7	1	115
Wawa-Traditions	1	0	2	0	6	61	2	0	72
Sunoco-Port St Lucie Blvd	0	2	1	5	7	46	4	0	65
Mobil-Becker Rd	0	0	0	0	2	16	2	0	20
7-11-St. Lucie West Blvd	0	0	4	6	11	376	1	0	398

The 7-11 Part I Crimes overlap with the Shell/Mobil Part I Crimes. See the below attached image. Both data sets include Walmart SLW.



Karen Phillips
Sally Walsh
Bryan Pankhurst
FW: 7/11 - vote no
Friday, October 25, 2019 1:13:45 PM
image001.png

For 10/28

Karen A. Phillips, City Clerk, CMC 772-871-7325 Karenp@cityofpsl.com

From: Brandon Dolan <BDolan@cityofpsl.com>
Sent: Friday, October 25, 2019 12:59 PM
To: John Carvelli <John.Carvelli@cityofpsl.com>; Karen Phillips <karenp@cityofpsl.com>
Subject: FW: 7/11 - vote no

For the record.



Brandon Dolan Executive Assistant City of Port St. Lucie 121 S.W. Port St. Lucie Blvd Port St. Lucie, Florida 34984-5099 772.871.5159 office | 772.871.7382 fax bdolan@cityofpsl.com www.cityofpsl.com www.retailstrategies.com/portstlucie

From: Jasmin Padova <<u>JasminP@cityofpsl.com</u>>
Sent: Friday, October 25, 2019 12:09 PM
To: Brandon Dolan <<u>BDolan@cityofpsl.com</u>>; Christina Flores <<u>CFlores@cityofpsl.com</u>>
Subject: 7/11 - vote no

Hi,

Luis Turro – 201 370 1422 called to urge CM Carvelli to "vote no" on the 7/11 item scheduled for Monday's meeting.

Thankyou

Jaz

From:	Greg Oravec
Sent:	Sunday, October 27, 2019 4:30 PM
То:	kevjenken@htcplus.net
Cc:	Karen Phillips; Brandon Dolan; Christina Flores; Teresa Lamar-Sarno
Subject:	Fw: PGA Verano 7-Eleven Petition.pdf
Attachments:	PGA Verano 7-Eleven Petition.pdf

Ms. Kennedy,

Thank you for your e-mail. It is my understanding that the subject petition has been made part of the record.

Sincerely,

Gregory J. Oravec

Mayor



City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 – Fax

From: kevjenken <kevjenken@htcplus.net>
Sent: Tuesday, October 22, 2019 8:35 AM
To: Greg Oravec; Shannon Martin; Stephanie Morgan; Jolien Caraballo; John Carvelli
Subject: PGA Verano 7-Eleven Petition.pdf

Attached please find a copy of the Petition In Opposition To Special Exception Requested By 7-Eleven which was filed with your office yesterday in conjunction with the City Council meeting to be held next week. That petition contains 569 signatures of your constituents in opposition to the Special Exception. We sincerely hope you will consider the position of a majority of Verano residents when voting next week.

Thank you.

Joyce Kennedy

From:	Brandon Dolan
Sent:	Friday, October 25, 2019 4:57 PM
То:	Karen Phillips
Subject:	FW: Proposed 7-Eleven at Crosstown and Commerce Center Dr.

High

Importance:

For the record.



Brandon Dolan Executive Assistant City of Port St. Lucie 121 S.W. Port St. Lucie Blvd Port St. Lucie, Florida 34984-5099 772.871.5159 office | 772.871.7382 fax bdolan@cityofpsl.com www.cityofpsl.com www.retailstrategies.com/portstlucie

From: Pam small19@hotmail.com
Sent: Friday, October 25, 2019 4:53 PM
To: Greg Oravec <<u>Mayor@cityofpsl.com</u>>; Shannon Martin <<u>Shannon.Martin@cityofpsl.com</u>>; Stephanie
Morgan <<u>Stephanie.Morgan@cityofpsl.com</u>>; Jolien.caravello@cityofpsl.com; John Carvelli
<<u>John.Carvelli@cityofpsl.com</u>>; MaryAnn Verillo <<u>DeliaM@cityofpsl.com</u>>; Christina Flores
<<u>CFlores@cityofpsl.com</u>>; Brandon Dolan <<u>BDolan@cityofpsl.com</u>>; Christina Flores
<<u>Subject</u>: Proposed 7-Eleven at Crosstown and Commerce Center Dr.
Importance: High

Dear City Council members,

I am writing to you today to urge you to carefully consider the Publix special exception zoning request that will be

discussed and decided at your upcoming meeting. As a resident of PGA Verano and whose home currently overlooks

a portion of the Publix building right now, I fully understand the area is zoned commercial and would like to see a carefully planned and well-designed structure on this land. However, I am very concerned about the lack of thought and studies

that should go into this endeavor. I am not in favor of supporting a 24/7 hour operation without studying the traffic and safety impacts

that this type of operation will engender.

Right now, I see daily traffic tie-ups as vehicles try to turn left on Crosstown Parkway from Commerce Center Dr.

and this is mainly traffic from the Verano community and or Publix customers, from what I see. In addition, we currently face speeding and daily traffic violations as drivers exit the Publix

from a no exit ingress, go around the rotary going the wrong way (ostensibly to save time I assume) or attempt to enter Crosstown from the wrong lanes (in other words exiting the incoming traffic lanes). To add a significant increase in traffic to this sorry situation is a recipe for disaster. Particularly if we don't have a real solid idea of traffic volumes, current and projected. Furthermore, where are the plans to redesign egress and ingress--do you really think the entry to Verano which is a rotary can sustain potential traffic levels?

Furthermore, I question the wisdom of putting another 24/7 gas station so close to another proposed gas station that I understand will

be going in at Crosstown and Fairgreen. Please be aware of the environmental issues as well as safety. Does the city plan to increase police

surveillance and/or to provide additional security with this new addition? While I am in favor of well planned development, I don't believe this

proposal meets that description and I hope that you are dedicated to asking the hard questions to ensure we have a safe, environmentally friendly and well-designed commercial space that reflects the community character AND contributes to an expanded tax base.

Thank you for your consideration.

Sincerely, Pamela Small 9975 SW Ambrose Way, PGA Verano 772-345-5846

From:	Greg Oravec
Sent:	Sunday, October 27, 2019 4:36 PM
То:	cindy fox
Cc:	george.fox@med.mun.ca; Sherry Grewal; tladey91@gmail.com; Brandon Dolan; Christina Flores; MaryAnn Verillo; Russ Blackburn; James Stokes; Teresa Lamar-Sarno; Karen Phillips
Subject:	Re: 7-Eleven (Verano)proposed project

Ms. Fox,

Thank you for writing me about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I cannot really discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

If you have never participated in a quasi-judicial proceeding before, I would encourage you to read the policies and procedures found here,

https://library.municode.com/fl/port_st. lucie/codes/code_of_ordinances?nodeId=TITIIIAD_C H32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212. Sincerely,

G

Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 – Fax

From: cindy fox <<u>cindyfox30@gmail.com</u>>
Sent: Tuesday, October 22, 2019 7:15 AM
To: Greg Oravec
Cc: Cindy Fox; <u>george.fox@med.mun.ca</u>; Sherry Grewal; <u>tladey91@gmail.com</u>
Subject: 7-Eleven (Verano)proposed project

Dear Mayor Oravec,

I am writing you today as a very concerned citizen of Verano village, Port st Lucie. This email also voices the same concerns of several neighbours as listed below on this email. It has come to our attention that there is a proposed 7-Eleven project being discussed for implementation very near our community and stated addresses.

Please review these issues & concerns as stated below :

As the area around PGA Verano develops commercially, we believe it is important that the community have input into any "special exception use" applications. The community should have adequate time to review and respond to special exceptions and be given due consideration for our concerns.

The city of Port Saint Lucie has been built and won awards for community involvement in the development process. Sadly, this has not happened on the 7-Eleven project.

Because of the speed at which the application is moving forward, we feel that the community has not had sufficient time to determine if we have any factual arguments against the applicant's position or the staff recommendations or, in the alternative, to present reasonable demands of the city to have the applicant modify the plan to give PGA Verano better protection.

We should never lose sight that a "special exception" is just that, an exception that was not anticipated by the planned use of the property.

Based on our limited knowledge and opportunity to be involved in the process, we would like to highlight a few concerns that we hope the City Council will address in its review process before approving the project.

1: Traffic

The best that we can determine, no detailed analysis has been performed of actual traffic infrastructure, ingress and egress, current traffic counts or flow, and projected vehicle counts and numbers by ingress and egress when construction is complete and the convenience store and 24-hour gas station located within 1/2 mile from I-95 is open for business, especially during peak times "in season" between November and April each year. The applicant relied on simple calculations from the

Indeed, the "ITE recommends that local rates be established via data collection." Did the city, the applicant or a third part perform data collection of the traffic on Crosstown and Commerce Centre drive in lieu of or in addition to relying on the ITE manual formula which only calculates additional average vehicles per day? That # says nothing about where they come from, how they will enter and exit the 7-11 site, especially given current entrance and exit routes, U-turn restrictions and other constraints. Relying on the ITE manual calculation for additional vehicle trips per day appears to be a narrow and invalid analysis of what will occur once opening day arrives.

We respectfully ask that the city have the applicant obtain real time traffic data, not only predicted volume with Crosstown extension being open, but also at peak season levels of traffic, for which the city surely has data. The impact on current and alternative ways out of the 7-Eleven/Publix parking lot for vehicles returning to I-95, to the largest and closest local communities (PGA and Verano and Tradition) should be considered.

Institute of Transportation Engineers' (ITE) Trip Generation Manual to

determine average vehicle trips per day.

If this was not done the validity of the application is in question.

2: Noise, glare, odor, or other detrimental effects upon adjoining properties.

The applicant claims that the 'existing berm and landscaping scheme is sufficient'. From whose point of view and as a barrier to what conditions exactly? How tall is the gas canopy? How high are the 7-Eleven light poles front and back? What noise levels and nuisances can the homes closest to 7-Eleven expect to hear from 18 wheel vehicles, gas delivery tankers at early hours of the morning, product delivery trucks, waste removal, etc?

In light of their application for a special exception have they done a lighting or noise study to determine the actual impacts on those homeowners? Verano homes are designed so the master bedrooms and living rooms are on the rear side of the houses...the side closest to/facing the 7- Eleven on Nuova Way.

This is a facility that will be open 24 hours. Does their traffic study address the volume of traffic during late night

and early morning hours, especially overnight?

The applicant provided no analysis that the existing buffer will be adequate to protect the neighborhood from overnight traffic noise, early morning delivery truck traffic noise and additional intrusive light? This is not a matter of making conclusory statements, application must provide details, specifications and assurances.

What is the city going to require, to ensure that the operation of this business does not constitute a visual and/or noise nuisance to residents whose homes are closest to it.

3: Lighting and Signs

Where is the plan with specifications on height of the poles, baffling, spillover, lumens? How tall is the fuel canopy and how bright will that be? Will it be visible to homes on Nuova Way?

It was not part of the any documents we have seen or that were shown at the public hearing. We request to see the lighting plan and have it explained as to how it will address community concerns. "all required light shields on parking lot lighting will be used to minimize glare." Is the only statement made in the application. Show us the lighting plan.

The applicant's claims are insufficient to support a special exception application. Was the plan evaluated by the appropriate professionals? If not, why not? Does the city approve the application solely based on the applicant's claims and promises? That is arbitrary. The plan shows light poles, but the locations are "tentative." If the location of the light poles and their impact on the neighborhood have not been determined, how can the application be approved?

4) Is this project really compatible with the adjacent property?

The applicant represents that the site was "carefully" selected in the original PUD. The site was selected, but use of any part of it for a 24/7 convenience store or gas station was not. If that werethecase,7-

Elevenwouldnotneedaspecialexception. Thecitymusthavedeterminedthat the application did not conform to the PUD or a special exception would not have been required.

The applicant suggests that it is compatible with the adjacent property (Publix) because Publix owns the land and entered into a lease. However, they do not address any of the incongruent facts that make the use of a 24-hour gas and convenience store inconsistent with a neighborhood grocery store with limited hours. These are redundant businesses. Virtually all of the food, beverage, ice, cigarette, lottery and beer/wine products sold in the convenience store are already sold in Publix with few exceptions1

5) Consideration of possible impact on public safety in the area.

This proposed business is adjacent to a residential area that was never intended to attract the large numbers of pedestrian and vehicular traffic that a 24-hour 16 pump gas station will bring. Its easy on-easy off proximity to the I-95 ramp (less than 1/2 mile) means the armed robbers, drug traffickers, carjackers, etc can commit a crime here and get on I-95 in a matter of minutes. It is well established that these types of establishments do cause a rise in both personal and property crimes in the premise on the parking facility. There is no reason to think that this location will be any different. The applicant's establishment may have security provisions, although we have not seen them. But absent any description being provided by the applicant or a security professional we are in the dark as to exactly what they are.

Has there been any professional review of the applicant's security plan(s) and an evaluation on how that may be hardened to protect our community?

If not, Why not?

Since this is being presented to the council as a quasi-judicial matter and the public is not allowed to ask questions, I would appreciate this being entered into the record so that you and the other council members can consider these concerns and ask the questions on our behalf during your deliberations.

1 Slurpees, cooked hot dogs, cooked pizza.

We appreciate your prompt attention to this matter. Thank you for your service to our community.

Sincerely,

Cindy Fox

Cindy Fox & George Fox 9640 SW Nuova Way Port St.Lucie Florida 34986 United States

Sherry Grewal & Kuljit Grewal 9716 SW Nuova Way Port St Lucie Fl. 34986 United States

Tanis Adey & Proton Rahman 50760 Visconti Way Port St. Lucie , Fl 34986 United States

Sent from my iPad

From:	Greg Oravec
Sent:	Sunday, October 27, 2019 8:48 PM
То:	peterkovacs16@yahoo.com
Cc:	Brandon Dolan; Christina Flores; Russ Blackburn; MaryAnn Verillo; Karen Phillips; James Stokes; Teresa Lamar-Sarno
Subject:	Re: Opposition to 7 Eleven in PGA Verano

Mr. Kovacs,

Thank you for writing me about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

If you have never participated in a quasi-judicial proceeding before, I would encourage you to read the policies and procedures found here,

https://library.municode.com/fl/port_st. lucie/codes/code_of_ordinances?nodeId=TITIIAD_C H32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212. Sincerely,

G

Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 - Fax

From: Peter peterkovacs16@yahoo.com>
Sent: Monday, October 21, 2019 3:20 PM

To: Greg Oravec; Shannon Martin; Stephanie Morgan; Jolien Caraballo; John Carvelli; MaryAnn Verillo; Christina Flores; Brandon Dolan **Subject:** Opposition to 7 Eleven in PGA Verano

Dear Port St Lucie Officials,

I am a resident of PGA Verano. Adding a 7 Eleven next to I95 and Publix would be a horrible mistake.

1. Increasing non- resident traffic to Commerce Center Drive and our PGA Verano Circle is dangerous.

2. We already have convenience stores: one next to the PGA Clock Tower and Circle K is planned for Crosstown Parkway in a Much Better and safer Location.

3. PGA Verano is not a 24 Hour community so we do not need a 24 Hour store.

4. 7 Eleven sells deadly cigarettes and vaping devices as well as alcohol and many other unhealthy drinks. Slurpees and Big Gulps should be banned, not added to our new community.

5. 7 Eleven attracts a dangerous clientele. The Clerk of the 7 Eleven store in Oakland Park was shot and killed at 12:30 AM this morning.

Nothing good can come from this addition.

Sent from my iPhone

From:	Greg Oravec
Sent:	Sunday, October 27, 2019 4:44 PM
То:	Edward Epstein; Brandon Dolan; Christina Flores; Russ Blackburn; James Stokes; Karen Phillips; Teresa Lamar-Sarno; MaryAnn Verillo
Subject:	Re: Proposal for Seven Eleven Outside PGA Verano- What are you Trying to Accomplish?

Mr. Epstein,

Thank you for writing me about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial). However, should you listen to my findings and determinations at the conclusion of Monday night's meeting and still have questions about my viewpoints, then I will gladly discuss the matter with you at a mutually convenient time and date.

If you have never participated in a quasi-judicial proceeding before, I would encourage you to read the policies and procedures found here,

https://library.municode.com/fl/port_st. lucie/codes/code_of_ordinances?nodeId=TITIIIAD_C H32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212. Sincerely,

G

Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 – Fax

From: Edward Epstein <<u>ejepstein@hotmail.com</u>
Sent: Monday, October 21, 2019 8:50:16 PM
To: Greg Oravec; Shannon Martin; Stephanie Morgan; John Carvelli; Jolien Caraballo; MaryAnn Verillo; Christina Flores; Brandon Dolan
Subject: Proposal for Seven Eleven Outside PGA Verano- What are you Trying to Accomplish?

Dear Port St Lucie City Officials

My wife and I have recently moved to PGA Verano and based on what we have heard realize that the city has made significant strides in its growth and development. Congratulations to everyone in government positions who have contributed to this.

By now you have heard from many residents of our concerns regarding a Seven Eleven and a very large gas station being recommended for the commercial property adjacent to Publix. Instead of repeating these (and I do agree with all the points my neighbors have made) here are some perspectives I have as a new resident for your consideration:

- Active adult communities are experiencing tremendous growth with an ever-growing number of Floridians and transplants from the Northeast moving here. This adds the potential of significant income available for expenditures that will impact growth of our economy.
- Based on this dynamic I would imagine that there are and will be more expectations regarding what current and potential residents will want to have available to them without having to drive to other communities. Right now I see a plethora of big box stores and franchise businesses but also a significant deficiency in what I would want in my community- expanded cultural activities, encouragement of locally owned businesses, our own community theater attracting first class productions, a new and modern movie theater (have you experienced the sub par local AMC Theater?), diverse non franchise restaurants and cuisine, a major book store, competition for Publix such as a Whole Foods, Trader Joe's and food markets such as Joseph's in Palm Beach Gardens, an outdoor mall that provides creative and different shopping, etc.
- My question therefore is- what is your vision of our city for the future? Can it be that you see the beauty of the surrounding area to PGA Verano and Crosstown Parkway filled with more gas stations, convenience stores and fast food restaurants? I certainly hope that you envision a city that will attract and retain people not just because of the housing but because of a community that offers excitement and meets the diverse interests of its population. In my opinion this proposal is short sighted and lacks a creative strategy to make Port St Lucie an inspiring place to live.
- One final observation- I attended the Planning and Zoning meeting where the Seven Eleven proposal was presented and was astounded

that your government process does not provide opportunity for open dialogue and questions. My business background always has emphasized that for healthy debate and constructive discussion it is critical that one understands the thought process of the other party. I would have appreciated understanding the viewpoint of those who voted for the issue with this question being answered.

Thank you for listening and I request that I be given an opportunity to meet with a member of the City Council or Planning and Zoning Committee to hear their response to my viewpoints.

Edward Epstein 216-544-6678 ejepstein@hotmail.com

From:	Greg Oravec
Sent:	Sunday, October 27, 2019 2:42 PM
То:	Pam; MaryAnn Verillo; Christina Flores; Brandon Dolan; Karen Phillips; Russ Blackburn; Teresa Lamar-Sarno; James Stokes
Subject:	Re: Proposed 7-Eleven at Crosstown and Commerce Center Dr.

Ms. Small,

Thank you for writing me about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I cannot really discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

If you have never participated in a quasi-judicial proceeding before, I would encourage you to read the policies and procedures found here,

https://library.municode.com/fl/port_st. lucie/codes/code_of_ordinances?nodeId=TITIIIAD_C H32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212.

Sincerely,

Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 - Office

772-871-7382 - Fax

From: Pam pam_small19@hotmail.com

Sent: Friday, October 25, 2019 4:53 PM

To: Greg Oravec; Shannon Martin; Stephanie Morgan; <u>Jolien.caravello@cityofpsl.com</u>; John Carvelli; MaryAnn Verillo; Christina Flores; Brandon Dolan Subject: Bronesed 7 Eleven at Crosstewn and Commerce Center Dr.

Subject: Proposed 7-Eleven at Crosstown and Commerce Center Dr.

Dear City Council members,

I am writing to you today to urge you to carefully consider the Publix special exception zoning request that will be

discussed and decided at your upcoming meeting. As a resident of PGA Verano and whose home currently overlooks

a portion of the Publix building right now, I fully understand the area is zoned commercial and would like to see a carefully planned and well-designed structure on this land. However, I am very concerned about the lack of thought and studies

that should go into this endeavor. I am not in favor of supporting a 24/7 hour operation without studying the traffic and safety impacts

that this type of operation will engender.

Right now, I see daily traffic tie-ups as vehicles try to turn left on Crosstown Parkway from Commerce Center Dr.

and this is mainly traffic from the Verano community and or Publix customers, from what I see. In addition, we currently face speeding and daily traffic violations as drivers exit the Publix from a no exit ingress, go around the rotary going the wrong way (ostensibly to save time I assume) or attempt to enter Crosstown from the wrong lanes (in other words exiting the incoming traffic lanes). To add a significant increase in traffic to this sorry situation is a recipe for disaster. Particularly if we don't have a real solid idea of traffic volumes, current and projected. Furthermore, where are the plans to redesign egress and ingress--do you really think the entry to Verano which is a rotary can sustain potential traffic levels?

Furthermore, I question the wisdom of putting another 24/7 gas station so close to another proposed gas station that I understand will

be going in at Crosstown and Fairgreen. Please be aware of the environmental issues as well as safety. Does the city plan to increase police

surveillance and/or to provide additional security with this new addition? While I am in favor of well planned development, I don't believe this

proposal meets that description and I hope that you are dedicated to asking the hard questions to ensure we have a safe, environmentally friendly and well-designed commercial space that reflects the community character AND contributes to an expanded tax base.

Thank you for your consideration.

Sincerely,

Pamela Small

9975 SW Ambrose Way, PGA Verano

772-345-5846

Karen Phillips
Sally Walsh
Bryan Pankhurst
FW: 7/11 - vote no
Friday, October 25, 2019 1:13:45 PM
image001.png

For 10/28

Karen A. Phillips, City Clerk, CMC 772-871-7325 Karenp@cityofpsl.com

From: Brandon Dolan <BDolan@cityofpsl.com>
Sent: Friday, October 25, 2019 12:59 PM
To: John Carvelli <John.Carvelli@cityofpsl.com>; Karen Phillips <karenp@cityofpsl.com>
Subject: FW: 7/11 - vote no

For the record.



Brandon Dolan Executive Assistant City of Port St. Lucie 121 S.W. Port St. Lucie Blvd Port St. Lucie, Florida 34984-5099 772.871.5159 office | 772.871.7382 fax bdolan@cityofpsl.com www.cityofpsl.com www.retailstrategies.com/portstlucie

From: Jasmin Padova <<u>JasminP@cityofpsl.com</u>>
Sent: Friday, October 25, 2019 12:09 PM
To: Brandon Dolan <<u>BDolan@cityofpsl.com</u>>; Christina Flores <<u>CFlores@cityofpsl.com</u>>
Subject: 7/11 - vote no

Hi,

Luis Turro – 201 370 1422 called to urge CM Carvelli to "vote no" on the 7/11 item scheduled for Monday's meeting.

Thankyou

Jaz

From:Jolien CaraballoSent:Monday, October 28, 2019 9:26 AMTo:Karen PhillipsSubject:FW: 7-11

For the record

Have A Great Day!



Jolien Caraballo Councilwoman, District 4 City of Port St. Lucie 121 S.W. Port St. Lucie Blvd Port St. Lucie, Florida 34984-5099 772.871.5159 office | 772.871.7382 fax jolien.caraballo@cityofpsl.com

Please sign up for my <u>District 4 Highlights</u> which provides great information on projects, events and updates that impact District 4!

From: bobbygarz@aol.com [mailto:bobbygarz@aol.com] Sent: Monday, October 28, 2019 5:33 AM To: Jolien Caraballo <<u>Jolien.Caraballo@cityofpsl.com</u>> Subject:

Hello Jolien,

If you recall I was at a recent mtg at your office along with a few others from PGA Village Verano. I came with Denise Andresen. I really appreciate the fact that you took the time to listen to us and perhaps have a better understanding of the issues our village has had with the proposed construction of a 7-11 convenience store and gasoline station. I would just like you to know that I am a resident of Florida since Feb. of this year and I absolutely love it!

The reason for my email, albeit kind of late, is that my stance on the issue, as well as many of my neighbors has changed. There are several reasons. For one thing we have found Ms Joyce Kennedy to not be truthful with us as she peddled her petition. Her initial reasoning is that this project came out of nowhere and no one in our community was informed. Basically the PUD has been in existence for a number of years and many residents were well aware. She has also been found to be grossly embellishing of many of the issues and was totally exposed at a mtg with 7-11 lawyers and planners @ Club Talavera in Verano on Wed. Oct 23rd 2:30 pm to appx 4pm. This mtg had made social media and news media outlets all over the Treasure Coast. I have to be honest, my neighbors were mostly an embarrassment to themselves, to many neighbors I have talked with since, so much so that many residents were just fed up with almost "lynching mob" that was totally orchestrated by Ms Kennedy. I stayed and withstood the nonsense and pleaded against my neighbors to be reasonable and to stop the rudeness. I am sure I did not make many more friends at this mtg.

To continue, the 7-11 group presented solutions to all of the issues we voiced to them and they did a wonderful presentation of those solutions. There will be no diesel fuel (I find that interesting but doubtful they will never have diesel in the future), They have addressed circle traffic and I am satisfied that it will no longer be an issue. they also are in the process with the City of PSL to install, at 7-11's expense, a u-turn at Crosstown in front of Publix. They said they are prepared to spend hundreds of thousands if needed for further buffering of Commerce Ctr Dr. It was brought up by a resident who believed the road at the exit of our circle leading to Crosstown was a private road. Though I do not believe so, 7-11 at this mtg, offered to pay those taxes if indeed it is a private road. In my, as well as many I have talked to opinions, 7-11 reps were very thoughtful in their addressing out concerns and stayed calm as many of our residents were out of line with foul language, hideous answers to 7-11 proposals, and were just all around extremely rude.

I would like to thank you, the rest of the council members and the Mayor for whatever decision is made on this issue. I am now 100% in favor of this project. It will take time but hopefully I can one day face some of my neighbors and show some respect but that will be very difficult. I will leave all my contact info below if you would like to hear the awful remarks, verbatim. It was a real sh_t show to put it mildly.

Thank You, Joliene Bob Garzone, Verano Resident 10080 SW Dolce Rd. Port St Lucie, FI 34986 <u>Bobbygarz@aol.com</u> (917-379-4714)

From:	Brandon Dolan
Sent:	Monday, October 28, 2019 8:44 AM
То:	Karen Phillips
Subject:	FW: New 7-11 Project is not opposed by residents of PGA Verano

For the record.



Brandon Dolan Executive Assistant City of Port St. Lucie 121 S.W. Port St. Lucie Blvd Port St. Lucie, Florida 34984-5099 772.871.5159 office | 772.871.7382 fax bdolan@cityofpsl.com www.cityofpsl.com www.retailstrategies.com/portstlucie

From: Joe Librizzi <joe.librizzi@gmail.com>
Sent: Saturday, October 26, 2019 2:37 PM
To: John Carvelli <<u>John.Carvelli@cityofpsl.com</u>>
Cc: Russ Blackburn <<u>rblackburn@cityofpsl.com</u>>; Brandon Dolan <<u>BDolan@cityofpsl.com</u>>; Christina
Flores <<u>CFlores@cityofpsl.com</u>>; James Stokes <jstokes@cityofpsl.com>
Subject: Re: New 7-11 Project is not opposed by residents of PGA Verano

I pass on your response in an E mail blast to all the residents in Verano and District 2. The timely response to our concern was appreciated by all. I received Many comments

We are confident that you will put a high priority on our objection to the project.

See you Monday night. We are hoping that our community does not face this burden.

All the Best

Joe

Joe & Carmella Librizzi 20042 Caserta Way Port St Lucie, Fl 34986 561-308-9562 772-345-7282

On Oct 25, 2019, at 2:09 PM, John Carvelli <<u>John.Carvelli@cityofpsl.com</u>> wrote:

Mr. Librizzi ,

Thank you for taking the time to write .I appreciate your input . When projects such as this are applied for in the City of Port St. Lucie , I consider information from all sources prior to making a decision . These sources include the applicant of the project, citizens and neighbors , the Planning and Zoning Board decision , and finally , the recommendation of this item by the City Manager , Mr. Blackburn when it comes before the City Council .

Thank you again for your input

John Carvelli City Councilman

Sent from my iPad

On Oct 25, 2019, at 1:44 PM, Joe Librizzi <<u>ioe.librizzi@gmail.com</u>> wrote:

The effect of opening a 7-11 Gas station right outside the gates of PGA Villages Verano would be a detriment to our community.

- 1. This 7-11 Gas station with 18 pumps will be right adjacent to the Wall to the Verano development on the Commerce side and just one minute or less from our Entrance.
- 2. We are fearful that with this 7-11 project, as it is with 18 gas pumps for 24 hours, will lower our property values. Any reason to think it would not.
- 3. 24 hours is very unreasonable. Our Guard is off at 10;00 AM allowing unchallenged entry to our community at early morning times. We are fearing an increase in crime. Tell me why that is not a valid concern?
- More traffic and congestion to a community that still has another 800 or so homes to go. It is estimated that 850 additional cars will be using the roundabout at our entrance/guard gate..
- 5. The entrance for gas trucks will be through an already crowded Publix Shopping lot.
- There is absolutely nothing positive affecting our community....only negatives. The on benefit that the 7-11 Corporate rep had to say at Wednesday's meeting was that "If you needed baby aspirin at 2;00 AM we are there for you"

We urge you as our representative to put our needs ahead of all else, as we are confident you will.

All the Best, Joe & Carmella Joseph & Carmella Librizzi 20042 SW Caserta Way Port St Lucie, Fl 34986 Cell: 561-308-9564 From:Brandon DolanSent:Monday, October 28, 2019 10:19 AMTo:Karen PhillipsSubject:FW: Fw: PGA Verano 7-Eleven Petition.pdf

For the record 🕹



Brandon Dolan Executive Assistant City of Port St. Lucie 121 S.W. Port St. Lucie Blvd Port St. Lucie, Florida 34984-5099 772.871.5159 office | 772.871.7382 fax bdolan@cityofpsl.com Www.cityofpsl.com www.retailstrategies.com/portstlucie

From: Greg Oravec <<u>Mayor@cityofpsl.com</u>>
Sent: Sunday, October 27, 2019 8:37 PM
To: kevjenken <<u>kevjenken@htcplus.net</u>>
Cc: Christina Flores <<u>CFlores@cityofpsl.com</u>>; Brandon Dolan <<u>BDolan@cityofpsl.com</u>>
Subject: Re: Fw: PGA Verano 7-Eleven Petition.pdf

Thank you, Ms. Kennedy. The vote is unanimous--Brandon and Christina are very caring, excellent assistants.

Sincerely,

Gregory J. Oravec Mayor



City of Port St. Lucie

121 SW Port St. Lucie Boulevard Port St. Lucie, Florida 34984 772-871-5159 – Office 772-871-7382 – Fax

From: kevjenken <<u>kevjenken@htcplus.net</u>>
Sent: Sunday, October 27, 2019 8:34 PM
To: Greg Oravec; Shannon Martin; Jolien Caraballo; John Carvelli; Stephanie Morgan
Subject: Re: Fw: PGA Verano 7-Eleven Petition.pdf

I wanted to send an email to let you know what an amazing staff you have. Christina and Brandon are both professional, accommodating and extremely helpful. Your team is very lucky to have Christina, Brandon and the others working with you. The citizens of PSL are lucky as well. No matter how the vote goes tomorrow night I just wanted you to know how much I appreciate all the help your staff provided.

Joyce Kennedy

-----Original Message-----From: "Greg Oravec" <<u>Mayor@cityofpsl.com</u>> To: <u>kevjenken@htcplus.net</u> Cc: "Karen Phillips" <<u>karenp@cityofpsl.com</u>>, "Brandon Dolan" <<u>BDolan@cityofpsl.com</u>>, "Christina Flores" <<u>CFlores@cityofpsl.com</u>>, "Teresa Lamar-Sarno" <<u>tsarno@cityofpsl.com</u>>, "Christina Date: 10/27/19 16:30 Subject: Fw: PGA Verano 7-Eleven Petition.pdf

Ms. Kennedy,

Thank you for your e-mail. It is my understanding that the subject petition has been made part of the record.

Sincerely,

Gregory J. Oravec Mayor City of Port St. Lucie 121 SW Port St. Lucie Boulevard Port St. Lucie, Florida 34984 772-871-5159 - Office 772-871-7382 - Fax

From: kevjenken <<u>kevjenken@htcplus.net</u>>
Sent: Tuesday, October 22, 2019 8:35 AM
To: Greg Oravec; Shannon Martin; Stephanie Morgan; Jolien Caraballo; John Carvelli
Subject: PGA Verano 7-Eleven Petition.pdf

Attached please find a copy of the Petition In Opposition To Special Exception Requested By 7-Eleven which was filed with your office yesterday in conjunction with the City Council meeting to be held next week. That petition contains 569 signatures of your constituents in opposition to the Special Exception. We sincerely hope you will consider the position of a majority of Verano residents when voting next week.

Thank you.

Joyce Kennedy

From:	Christina Flores
Sent:	Monday, October 28, 2019 10:21 AM
То:	Greg Oravec; John Carvelli; Jolien Caraballo; Shannon Martin; Stephanie
	Morgan; Russ Blackburn
Cc:	Brandon Dolan; MaryAnn Verillo; Karen Phillips
Subject:	FW: REVISED Crime Statics for Gas Stations Near Highways (I-95 & Turnpike)
Attachments:	REQUEST-Gas Station Analysis.pdf

Good morning,

After the previous email, I was asked for an one page analysis that illustrates the number of crimes occurring in a defined area, how many of those crimes took place at a convenience store/gas station, and how many took place everywhere else. Attached please find that analysis. If you should have any questions, please let me know.

Thank you,

Christina Flores

Executive Assistant Office of the Mayor and City Council **City of Port St. Lucie** 121 SW Port St. Lucie Blvd. Port St. Lucie, FL 34984 (772) 873-6472 *office*; (772) 871-7382 *fax cflores@cityofpsl.com*

From: Christina Flores
Sent: Thursday, October 24, 2019 4:15 PM
To: Greg Oravec; John Carvelli; Jolien Caraballo; Shannon Martin; Stephanie Morgan; Russ Blackburn
Cc: Brandon Dolan; MaryAnn Verillo; Karen Phillips
Subject: RE: REVISED Crime Statics for Gas Stations Near Highways (I-95 & Turnpike)

Good afternoon,

As I previously stated, I requested crime statistics for crimes that happened at gas stations within the ½ mile radius of the Turnpike and I-95. Below and attached, please find that data.

Part 1 Crimes-Gas Stations (Address Only) Near Turnpike & I-95							
January 1, 2017 - September 30, 2019							
Location Areas	Homicide	Sexual Assault	Robbery	Aggravated Assault	Burglary	Larceny	Auto Theft
Mobil - 640 SE Becker Rd	0	0	0	0	1	1	0
Mobil - 2173 SW Gatlin Blvd	0	0	0	0	1	0	0
Race Trac - 2031 SW Gatlin Blvd	0	0	2	0	0	5	0
Shell - 1924 SW Gatlin Blvd	0	0	0	0	1	2	0
Wawa - 10308 SW Tradition Square	0	0	1	0	0	1	0
Shell - 1795 NW St. Lucie West Blvd	0	0	0	1	0	2	0
Mobil - 1820 SW Fountainview Blvd	0	0	0	0	0	3	0
Sunoco - 471 SW Port St Lucie Blvd	0	0	0	0	0	0	0
Shell - 299 SW Port St Lucie Blvd	0	0	0	0	0	1	0
BP - 233 SW Port St Lucie Blvd	0	0	0	0	0	1	1
Racetrac - 221 SW Port St Lucie Blvd	0	0	0	0	0	4	1
7-11 - 1651 SW St Lucie West Blvd	0	0	1	0	0	4	1
						Tota	al Part I (

If you have any further questions, please let me know.

Thank you,

Christina Flores

Executive Assistant

Office of the Mayor and City Council

City of Port St. Lucie

121 SW Port St. Lucie Blvd.

Port St. Lucie, FL 34984

(772) 873-6472 office; (772) 871-7382 fax

cflores@cityofpsl.com

From: Christina Flores
Sent: Thursday, October 24, 2019 2:15 PM
To: Greg Oravec <<u>Mayor@cityofpsl.com</u>>; John Carvelli <<u>John.Carvelli@cityofpsl.com</u>>; Jolien Caraballo
<<u>Jolien.Caraballo@cityofpsl.com</u>>; Shannon Martin <<u>Shannon.Martin@cityofpsl.com</u>>; Stephanie
Morgan <<u>Stephanie.Morgan@cityofpsl.com</u>>; Russ Blackburn <<u>rblackburn@cityofpsl.com</u>>; Karen Phillips
<<u>karenp@cityofpsl.com</u>>; Karen Phillipkuran (LOS & Turnailla)

Subject: RE: REVISED Crime Statics for Gas Stations Near Highways (I-95 & Turnpike)

Good afternoon,

To clarify the previously sent email with crime statistics, the information listed in the graph shows crimes that occurred within a ½ mile radius of those gas stations. The gas stations listed are within a ½ mile radius of the Turnpike or 195. In order to provide further clarification, I have requested to get the crime statistics for the crimes that occurred at the gas stations versus the surrounding area.

Thank you,

Christina Flores

Executive Assistant

Office of the Mayor and City Council

City of Port St. Lucie

121 SW Port St. Lucie Blvd.

Port St. Lucie, FL 34984

(772) 873-6472 office; (772) 871-7382 fax

cflores@cityofpsl.com

From: Christina Flores Sent: Thursday, October 24, 2019 11:48 AM To: Greg Oravec <<u>Mayor@cityofpsl.com</u>>; John Carvelli <<u>John.Carvelli@cityofpsl.com</u>>; Jolien Caraballo <<u>Jolien.Caraballo@cityofpsl.com</u>>; Shannon Martin <<u>Shannon.Martin@cityofpsl.com</u>>; Stephanie Morgan <<u>Stephanie.Morgan@cityofpsl.com</u>>; Russ Blackburn <<u>rblackburn@cityofpsl.com</u>>; Stephanie Cc: Brandon Dolan <<u>BDolan@cityofpsl.com</u>>; MaryAnn Verillo <<u>DeliaM@cityofpsl.com</u>>; Karen Phillips <<u>karenp@cityofpsl.com</u>> Subject: EW(: BE)/(SED.Crimo Statics for Cas Stations Near Highways (LOE & Turppiko)

Subject: FW: REVISED Crime Statics for Gas Stations Near Highways (I-95 & Turnpike)

Good morning,

We received a PRR from a resident and the representative for 7/11 asking for crime statistics for gas stations within ½ mile of the Turnpike and I-95, as well as the 7/11 on St. Lucie West Blvd (which is slightly outside of the ½ mile radius). Due to this information being requested as part of the quasi-judicial agenda item, I wanted to provide it to City Council and make it part of the official record.

Thank you,

Christina Flores

Executive Assistant

Office of the Mayor and City Council

City of Port St. Lucie

121 SW Port St. Lucie Blvd.

Port St. Lucie, FL 34984

(772) 873-6472 office; (772) 871-7382 fax

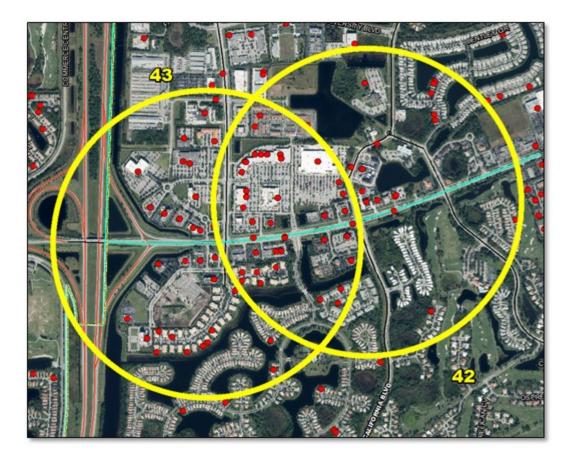
cflores@cityofpsl.com

From: Melissa Jungjohan <<u>mjungjohan@cityofpsl.com</u>>
Sent: Thursday, October 24, 2019 10:53 AM
To: Christina Flores <<u>CFlores@cityofpsl.com</u>>
Cc: Brandon Dolan <<u>BDolan@cityofpsl.com</u>>
Subject: FW: REVISED Crime Statics for Gas Stations Near Highways (I-95 & Turnpike)

Per your request, please find attached the revised spreadsheet with the 7-11 on St. Lucie West Blvd included as a location.

Part 1 Crimes-1/2 Mile Radius to Gas Stations Near Turnpike & I-95									
	lanuary [·]	1, 2017	7 - Sept	ember 30,	, 2019				
Location Areas	Homicide	Sexual Assault	Robbery	Aggravated Assault	Burglary	Larceny	Auto Theft	Arson	Pa
Shell/Mobil-St. Lucie West Blvd	0	0	6	6	12	440	9	0	
Shell/Mobil/Race Trac-Gatlin Blvd	0	0	4	7	10	285	0	0	
Shell/BP/Race Trac-Port St Lucie Blvd	0	4	1	5	18	79	7	1	
Wawa-Traditions	1	0	2	0	6	61	2	0	
Sunoco-Port St Lucie Blvd	0	2	1	5	7	46	4	0	
Mobil-Becker Rd	0	0	0	0	2	16	2	0	
7-11-St. Lucie West Blvd	0	0	4	6	11	376	1	0	

The 7-11 Part I Crimes overlap with the Shell/Mobil Part I Crimes. See the below attached image. Both data sets include Walmart SLW.



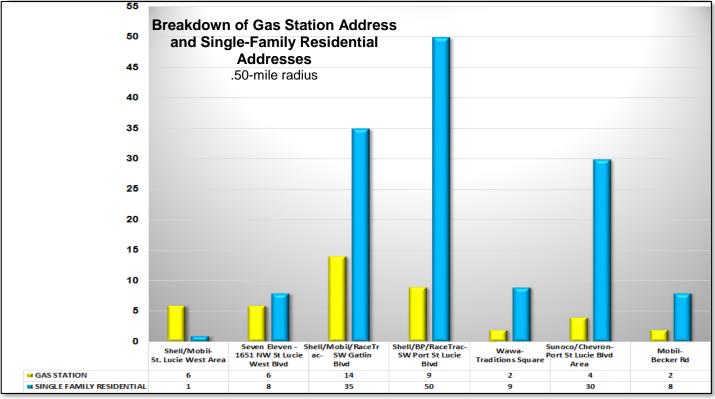


I-95 - Turnpike Gas Stations Part I Offense Analysis January 1, 2017 – September 30, 2019

ANALYSIS: Locations were chosen based on proximity to the I-95 and Turnpike entrances to the city. **Due to** proximity with each other, some gas station's data overlapped within the .50 mile radius. In those instances, the area was combined to prevent duplicate incidents.

NOTE: As requested, although outside the .50 mile radius of I-95, 7-11 in St. Lucie West,1651 SW St. Lucie West Blvd, is included in this data. Based on its inclusion, some data reflects duplicates from the Shell and Mobil combined location.

Part 1 Offenses50 Mile Radius to Gas Stations Near Turnpike & I-95 January 1, 2017 - September 30, 2019						
LOCATIONS	GAS STATION	SINGLE FAMILY RESIDENTIAL	APARTMENT/ TOWNHOME	BUSINESS	OTHER (Roadway, Const. Site)	Part I Total
Shell/Mobil 1795 NW St Lucie West Blvd 1820 SW Fountainview Blvd	6	1	15	445	0	467
Seven Eleven (7-11) 1651 NW St Lucie West Blvd	6	8	0	385	0	399
Shell/Mobil/RaceTrac 1924/ 2031/2173 SW Gatlin Blvd	14	35	2	247	8	306
Shell/BP/Race Trac 221/233/299 SW Port St Lucie Blvd	9	50	0	55	0	114
Wawa 10308 SW Tradition Square	2	9	3	57	1	72
Sunoco/Chevron 468/471 SW Port St Lucie Blvd	4	30	0	27	3	64
Mobil 640 SE Becker Rd	2	8	0	8	2	20



SUPPLEMENT ANALYSIS:

During this same time frame, a .50 mile radius of Part I Offenses was compared to the other areas (e.g., Verano, County Club Estates, Vineyards), where no gas stations are present; Verano - 21 Incidents; St. Lucie West - 16 Incidents Data comparison indicated no correlation between gas station locations and single-family residential crime can be determined.

From:	Greg Oravec
Sent:	Monday, October 28, 2019 10:14 AM
То:	Donna Lagoy
Cc:	Russ Blackburn; Karen Phillips; Teresa Lamar-Sarno; Brandon Dolan; Christina Flores; James Stokes
Subject:	Re: 7-11 at PGA Verano Publix

Ms. Lagoy,

Thank you for writing me about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

If you have never participated in a quasi-judicial proceeding before, I would encourage you to read the policies and procedures found here,

https://library.municode.com/fl/port_st._lucie/codes/code_of_ordinances?nodeId=TITIIIAD_C H32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212. Sincerely,

G

Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 – Fax

From: Donna Lagoy <<u>donnalagoy@yahoo.com</u>>
Sent: Monday, October 21, 2019 8:33 AM
To: Greg Oravec; Shannon Martin; Stephanie Morgan; John Carvelli; Jolien Caraballo; MaryAnn Verillo; Christina Flores; Brandon Dolan
Subject: 7-11 at PGA Verano Publix

I am a resident of PGA Verano and moved from Palm City a little over a year ago. I fought the battle to stop Costco from coming to a location in Palm City that would have created major issues for residents including but not limited to, increase in crime and traffic, danger to children walking to school and decreased property values.

I moved from Palm City to PGA Verano as it was a less congested area and I felt it was very resident friendly. You are now looking to put a 7-Eleven outside our gates.

I believe the location is zoned for other types of businesses that would be benefit our community so not sure why you would agree to a 7-Eleven that it was not zoned for and that we all know is not going to bring any good people to the area but instead do the opposite.

I am very concerned about the increase of traffic and crime that this will bring that will result in decreased property values.

Many residents drive golf carts to Publix and crossing the road is very safe as everyone pretty much knows to slow down around the circle, will 100's of non-community people know this? Who will be responsible if someone gets killed or injured in the circle as a result? Who is going to pay me the difference my property value plummets?

Was a traffic study and crime study completed? That had to be done when I worked on the Costco project but yet I haven't seen a thing on the topic?

I am pleading with you to not approve this entity from building in that location.

Thank you in advance for listening.

Donna LaGoy

PGA Verano Resident

From:	Greg Oravec
Sent:	Monday, October 28, 2019 10:05 AM
То:	Susan Marino
Cc:	Russ Blackburn; Karen Phillips; Teresa Lamar-Sarno; Brandon Dolan; Christina Flores; MaryAnn Verillo; James Stokes
Subject:	Re: 7-Eleven convenience store & gas station on Commerce Drive

Dear Ms. Marino and Mr. Piechocki,

Thank you for writing me about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

If you have never participated in a quasi-judicial proceeding before, I would encourage you to read the policies and procedures found here,

https://library.municode.com/fl/port_st._lucie/codes/code_of_ordinances?nodeId=TITIIIAD_C H32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212.

Sincerely,

Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 - Fax

From: Susan Marino <<u>susankmarino@gmail.com</u>>
Sent: Monday, October 21, 2019 9:16 AM
To: Greg Oravec; Shannon Martin; MaryAnn Verillo; Christina Flores; Brandon Dolan
Subject: 7-Eleven convenience store & gas station on Commerce Drive

To Whom it May Concern,

We are writing you as concerned residents of PGA Verano regarding the possibility of a Seven Eleven being built on Commerce Street outside the entrance to PGA Verano.

Please vote NO!

Currently we (residents of Verano) enjoy a serene neighborhood where residents can bike, walk & use golf carts to get around this beautifully landscaped and quiet neighborhood area. Having a business such as a 24 hour 7-11 convenience store and gas station in close proximity to 195 and so close to our entrance will invite/ encourage travelers to access this area at all hours of the day and night. This will in doubt result in an increase in traffic, including gas tankers, trash, noise, air pollution, people loitering all hours of the day possibly resulting in a high crime rate.

The increased traffic which will occur as the result of this business will have an impact upon pedestrians, bikers and those enjoying the use golf carts. Publix parking lot is already congested and at times, too small for the public who shops at Publix. With Publix adding a cafe/eatery to their establishment and with 7-11 traffic sharing an easement entering and leaving the conjoined current Publix parking lot this will be a potential for accidents (cars and pedestrians) occurring. Additionally, the roundabout, outside Verano entrance and Commerce will be a dangerous nightmare as people, bikers, golf carts and automobiles all compete for theses roads.

The homes in Verano are of above average values compared to the typical homes in St Lucie County. Having a 7-11 business in this area will negatively impact our property values and the desirability of this area. Our taxes are high, resulting in a sizable contribution to St. Lucie tax base which may be negatively affected by building 7-11 business.

We are not opposed to adding another business that will add value to this area and our lives. One that won't have a negative impact upon our environment or potentially add a crime element to this area.

Please support preserving a beautiful, serene neighborhood which our community currently enjoys.

Thank you for listening to and hopefully, taking into consideration, our concerns.

Regards, Susan Marino & Joe Piechocki

Let's improve our community and not bring our community down! The homes in PGA Village and PGA Verano have values from the upper \$200s - \$1million. We also pay a large percentage of the taxes in Port St Lucie and it is time for you to begin to bring services and shops to our area that will compliment our homes and our investments, not take us down!

Please think long and hard before you make a huge mistake that will not be able to be corrected. Sent from my iPad

From:	Greg Oravec
Sent:	Monday, October 28, 2019 11:31 AM
То:	Karen Phillips; Russ Blackburn; Brandon Dolan; Christina Flores; Teresa Lamar-Sarno; James Stokes
Subject:	Fw: Verano group
Attachments:	7-11_Possible_bullet_points.pdf; ATT00001.htm

FYI

Gregory J. Oravec

Mayor



City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 - Fax

From: Clarence W. Kearney <<u>cpacwk@hotmail.com</u>>
Sent: Sunday, October 20, 2019 8:12 PM
To: Greg Oravec; Shannon Martin; Stephanie Morgan; Jolien Caraballo; John Carvelli; MaryAnn Verillo; Christina Flores; Brandon Dolan
Subject: Verano group

Attached are talking points from Verano

Group<u>https://d16kzk4negkp9h.cloudfront.net/77/2e/00/772e00b8a94c5c9cb28330b00fe1caae</u>//-

<u>11 Possible bullet points.pdf?Expires=1571616939&Signature=HAYYJtgEdOR~VYfKfbrWozsjIV</u> <u>n4-</u>

uVKMmwuYl6noj9ulRV0L1gmL9zckruQqJuu4De4cfQVnoalETdj6yLWVixUVFndb8nllhkP~Nj~Cmj GTPNJusxtkkQ0p9Mgoc3XL~HI58a9yGFpexqPnKbFWd3nAbvBKajBhFpRIe6JOaY &Key-Pair-Id=APKAIXBZNN3ZZBIBSIDQ As the area around PGA Verano develops commercially, we believe it is important that the community have input into any "special exception use" applications. The community should have adequate time to review and respond to special exceptions and be given due consideration for our concerns.

The city of Port Saint Lucie has been built and won awards for community involvement in the development process. Sadly, this has not happened on the 7-Eleven project.

Because of the speed at which the application is moving forward, we feel that the community has not had sufficient time to determine if we have any factual arguments against the applicant's position or the staff recommendations or, in the alternative, to present reasonable demands of the city to have the applicant modify the plan to give PGA Verano better protection.

We should never lose sight that a "special exception" is just that, an exception that was not anticipated by the planned use of the property.

Based on our limited knowledge and opportunity to be involved in the process, we would like to highlight a few concerns that we hope the City Council will address in its review process before approving the project.

1: Traffic

The best that we can determine, no detailed analysis has been performed of actual traffic infrastructure, ingress and egress, current traffic counts or flow, and projected vehicle counts and numbers by ingress and egress when construction is complete and the convenience store and 24-hour gas station located within ½ mile from I-95 is open for business, especially during peak times "in season" between November and April each year. The applicant relied on simple calculations from the Institute of Transportation Engineers' (ITE) Trip Generation Manual to determine average vehicle trips per day.

Indeed, the "ITE recommends that local rates be established <u>via data collection</u>." Did the city, the applicant or a third part perform data collection of the traffic on Crosstown and Commerce Centre drive in lieu of or in addition to relying on the ITE manual formula which only calculates additional average vehicles per day? That # says nothing about where they come from, how they will enter and exit the 7-11 site, especially given current entrance and exit routes, U-turn restrictions and other constraints. Relying on the ITE manual calculation for additional vehicle trips per day appears to be a narrow and invalid analysis of what will occur once opening day arrives.

We respectfully ask that the city have the applicant obtain real time traffic data, not only predicted volume with Crosstown extension being open, but also at peak season levels of traffic, for which the city surely has data. The impact on current and alternative ways out of the 7-Eleven/Publix parking lot for vehicles returning to I-95, to the largest and closest local communities (PGA and Verano and Tradition) should be considered.

if this was not done the validity of the application is in question.

2: Noise, glare, odor, or other detrimental effects upon adjoining properties.__

<u>The</u> applicant claims that the 'existing berm and landscaping scheme is sufficient'. From whose point of view and as a barrier to what conditions exactly? How tall is the gas canopy? How high are the 7-Eleven light poles front and back? What noise levels and nuisances can the homes closest to 7-Eleven expect to hear from 18 wheel vehicles, gas delivery tankers at early hours of the morning, product delivery trucks, waste removal, etc?

In light of their application for a <u>special exception</u> have they done a lighting or noise study to determine the actual impacts on those homeowners? Verano homes are designed so the master bedrooms and living rooms are on the rear side of the houses...the side closest to/facing the 7-Eleven on Nuova Way.

This is a facility that will be open 24 hours. Does their traffic study address the volume of traffic during late night and early morning hours, especially overnight?

The applicant provided no analysis that the existing buffer will be adequate to protect the neighborhood from overnight traffic noise, early morning delivery truck traffic noise and additional intrusive light? This is not a matter of making conclusory statements, application must provide details, specifications and assurances.

What is the city going to require, to ensure that the operation of this business does not constitute a visual and/or noise nuisance to residents whose homes are closest to it.

3: Lighting and Signs

Where is the plan with specifications on height of the poles, baffling, spillover, lumens? How tall is the fuel canopy and how bright will that be? Will it be visible to homes on Nuova Way?

It was not part of the any documents we have seen or that were shown at the public hearing. We request to see the lighting plan and have it explained as to how it will address community concerns. "all required light shields on parking lot lighting will be used to minimize glare." Is the only statement made in the application. **Show us the lighting plan.**

The applicant's claims are insufficient to support a special exception application. Was the plan evaluated by the appropriate professionals? If not, why not? Does the city approve the application solely based on the applicant's claims and promises? That is arbitrary. The plan shows light poles, but the locations are "tentative." If the location of the light poles and their impact on the neighborhood have not been determined, how can the application be approved?

4) Is this project really compatible with the adjacent property?

The applicant represents that the site was "carefully" selected in the original PUD. The site was selected, but use of any part of it for a 24/7 convenience store or gas station was not. If that were the case, 7-Eleven would not need a special exception. The city must have determined that the application did not conform to the PUD or a special exception would not have been required.

The applicant suggests that it is compatible with the adjacent property (Publix) because Publix owns the land and entered into a lease. However, they do not address any of the incongruent facts that make the use of a 24-hour gas and convenience store inconsistent with a neighborhood grocery store with limited hours. These are redundant businesses. Virtually all of the food, beverage, ice, cigarette, lottery and beer/wine products sold in the convenience store are already sold in Publix with few exceptions¹

5) Consideration of possible impact on public safety in the area.

This proposed business is adjacent to a residential area that was never intended to attract the large numbers of pedestrian and vehicular traffic that a 24-hour 16 pump gas station will bring. Its easy on-easy off proximity to the I-95 ramp (less than ½ mile) means the armed robbers, drug traffickers, carjackers, etc can commit a crime here and get on I-95 in a matter of minutes. It is well established that these types of establishments do cause a rise in both personal and property crimes in the premise on the parking facility. There is no reason to think that this location will be any different. The applicant's establishment may have security provisions, although we have not seen them. But absent any description being provided by the applicant or a security professional we are in the dark as to exactly what they are.

Has there been any professional review of the applicant's security plan(s) and an evaluation on how that may be hardened to protect our community?

If not, Why not?

Since this is being presented to the council as a quasi-judicial matter and the public is not allowed to ask questions, I would appreciate this being entered into the record so that you and the other council members can consider these concerns and ask the questions on our behalf during your deliberations.

¹ Slurpees, cooked hot dogs, cooked pizza.

From:	Greg Oravec
Sent:	Monday, October 28, 2019 11:18 AM
То:	Patricia Kuhn
Cc:	Christina Flores; Brandon Dolan; Russ Blackburn; Karen Phillips; Teresa Lamar-Sarno; James Stokes
Subject:	Re: October 28 Hearing re: 7-Eleven at Verano

Ms. Kuhn,

Thank you for writing me regarding the subject and for your passion. I know you are fighting for what you think is best for your neighborhood, and I can understand your frustration and disappointment. At the same time, the facts, as I understand them after 23 years of service to multiple Florida local governments, don't support many of your assertions. Accordingly, I would be happy to meet with you after the current matter is decided, and I would encourage you to carry out additional research on the quasi-judicial process and the development process in general. I think you will find that the quasi-judicial process plays out across the State and that the Port St. Lucie City Council has already adopted higher public notification standards than are required by Florida law. In fact, on this latter point, we went to 750 feet from 300 feet in 2015.

Speaking in generalities and not to any specifics with the 7-11 application, in my experience property owners and members of the public can have a great impact on the quasijudicial decision-making process, especially those property owners and citizens who can testify to actual facts and the essential criteria of the case, as in the special exception criteria of a special exception application. However, in those situations where property owners and citizens could only provide emotional opinions, hearsay and logical fallacies, there is not much a decision-making body can do and it doesn't matter how many citizens present those unsupported opinions or with how much passion.

It seems like you may have already read our quasi-judicial procedures, which can be found here: <u>https://library.municode.com/fl/port_st._lucie/codes/code_of_ordinances?nodeld=TITIII</u> <u>AD_CH32DEBOCO_ARTIXPOPRQUDIPR</u>. Have you spoken to our City Attorney's Office yet, 772-871-5294? Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212.

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Sincerely,

G

Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

From: Patricia Kuhn <<u>pkuhn322@gmail.com</u>>
Sent: Monday, October 21, 2019 7:30 AM
To: Greg Oravec; Shannon Martin; Stephanie Morgan; Jolien Caraballo; John Carvelli; MaryAnn Verillo
Cc: Christina Flores; Brandon Dolan
Subject: October 28 Hearing re: 7-Eleven at Verano

In the weeks since we as a community learned from one another about the 7-Eleven to be built by the entrance to our community, we understand that:

- The site on which 7-Eleven proposes to build a convenience store and fuel pumps is zoned commercial general. Publix has the right to sell or lease the land it did not use for its grocery store to another business enterprise. We do not oppose any of that, only the choice of 7-Eleven as a 24/7 operation with 16 fuel pumps as its tenant.

- The City has a quasi-judicial process governing its planning and zoning process, under which

taxpayers/homeowners enjoy few rights, no real voice during the review and no place at the decision-making table.

- Taxpayers/homeowners who have legitimate concerns <u>and</u> may be adversely affected by specific types of commercial development abutting their communities have no advocates in the Port St Lucie city government, elected or appointed. The application approval process seems to be 100% pro-business. Our issues with the substance of the 7-Eleven application are legitimate and have to do with traffic and transportation, crime, environmental and nuisance issues. My husband and others have written the Council members separately on these. I am writing about solutions for the process problems. I propose several ideas for how to make the approval process be more transparent and inclusive, even if citizens are only educated and offered advisory roles... and elected officials more willing to listen.

The bottom line: a petition of 500+ signatures (in a 700-home community) being handdelivered to the City today; questions and objections raised before and during the P&Z hearing in writing; the concerns of 50 or so Verano residents present and words of those who testified; and those same actions that will take place before and during the October 28 hearing... mean nothing to the outcome of this process. Citizen and community interests are entirely peripheral.

The City of Port St Lucie can and should do better. Let this 7-Eleven project and the energy and passion Verano residents demonstrated in a short timeframe in an uphill battle against two big corporations and a city that wasn't listening ... be a learning moment for you. It has been for us.

Attachment: VERANO Resident Issues with the Process, 10-20-2019

From:	Greg Oravec
Sent:	Monday, October 28, 2019 11:44 AM
То:	Max Krupo
Cc:	Russ Blackburn; Karen Phillips; Teresa Lamar-Sarno; Brandon Dolan; Christina Flores; MaryAnn Verillo; James Stokes
Subject:	Re: 7-Eleven Verano Council Hearing 10-28-19

Mr. Krupo,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial). Additionally, for anyone trying to influence the decision-making process, it is very important for them to submit facts, not opinions, into the record.

If you have never participated in a quasi-judicial proceeding before, I would encourage you to read the policies and procedures found here,

https://library.municode.com/fl/port_st._lucie/codes/code_of_ordinances?nodeId=TITIIIAD_C H32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212.

Sincerely,

G

Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 - Office

772-871-7382 - Fax

From: Max Krupo <<u>maxkrupo@gmail.com</u>>
Sent: Sunday, October 20, 2019 10:40 AM
To: Greg Oravec; Shannon Martin; Stephanie Morgan; John Carvelli; MaryAnn Verillo
Cc: Christina Flores; Brandon Dolan
Subject: 7-Eleven Verano Council Hearing 10-28-19

On behalf of myself and 500+ of my neighbors, I would like to raise substantive issues we have with the proposed 7-Eleven project at Crosstown Parkway and Commerce Centre Drive.

Since residents, citizens, homeowners are not permitted to ask these questions at the Hearing, I am asking each Council member to carefully consider doing so, for the benefit of the City, at the October 28th hearing. You have that authority and responsibility. There is no mandate to rush this application to approval. <u>You can table the vote or extend the deliberations until additional work is done to satisfy each of you that all due diligence has been completed</u>. I implore you to do that.

1. Traffic and Transportation. No analysis or projections of the impact of this business on existing infrastructure was performed. Only an estimate of average daily vehicle trips to the site, based on a formula developed by the ITE, which itself recommends a local transportation volume and ingress/egress study. Why did the City not require this as part of the application? Our specific concern: (A) no traffic volume data was collected on vehicles entering leaving and passing this site, (B) no projections of egress and ingress via Crosstown Parkway, Commerce Centre Drive and return trips to I-95 were developed and the impact on safety, signage, and traffic flow developed (C) existing problems with location and width of Publix's Crosstown Parkway entrance that will be exacerbated by 7-Eleven incoming vehicles—this was not considered or studied.

Now that Crosstown Extension is open and "Season" is starting (with higher volume vehicular traffic), the City should require a traffic count and analysis of current and projected egress/ingress, instead of allowing applicant to proceed without one. There may well be public safety and economic consequences of Planning and Development staff failing to require this in their review.

2. **Crime Impact**. No analysis by a third party commercial/residential security expert or law enforcement officials was performed in connection with the placement of this 24/7 convenience store so close to I-95 exits North and South and hundreds of feet from a dense residential community. No review of the placement and capabilities or monitoring of external security cameras was performed. Why did the City not require this or consider it of interest? Convenience stores attract criminals and miscreants for a variety of reasons that are well known and documented. The potential for panhandling and petty crimes all day and late night drug trafficking, assaults, carjacking, armed robberies and other crimes comes with the placement of a 24/7 operation so close to I-95 ramps in a location where the 7-Eleven will operate alone from 10 pm to 7 AM (when Publix is closed) and on holidays.

3. Environmental, Lighting, Noise and Nuisance Issues. These too have been raised by residents who object----not to a business locating there, but to one of this nature----operating 24/7 with a unique set of requirements, some of which pose potential danger, others create nuisances to those who live nearby. Underground gas storage tanks, 16 above-ground fuel dispensing pumps, a gas canopy, bright lighting that will be on all night every night, heavy trucks delivering gas, other trucks receiving gas, at least 841 vehicles per day by the applicant's conservative estimate, the trash receptacles and loading area being placed closest to the rear of resident homes on Nuova Way, where bedrooms are located... Applicant made statements that the existing berm and landscaping "are sufficient"... for what? says who? by what objective standard? When the PUD was created and Crosstown Parkway was built, a fuel station 24/7 was never envisioned there, or a special exception would not have been required. Likewise, no environmental safeguards or risk assessment was mentioned.

Thank You for taking the time to review this and consider our concerns.

Max Krupo

From:	Greg Oravec
Sent:	Monday, October 28, 2019 11:41 AM
То:	kpacelli01
Cc:	Christina Flores; MaryAnn Verillo; Brandon Dolan; Russ Blackburn; Karen Phillips; Teresa Lamar-Sarno; James Stokes
Subject:	Re: Seven 11

Hey, Ken and Mrs. Pacelli,

Thank you for writing me about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

If you have never participated in a quasi-judicial proceeding before, I would encourage you to read the policies and procedures found here,

https://library.municode.com/fl/port_st._lucie/codes/code_of_ordinances?nodeId=TITIIIAD_C H32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212.

Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 - Office

772-871-7382 - Fax

From: kpacelli01 <<u>kpacelli01@yahoo.com</u>
Sent: Sunday, October 20, 2019 1:10 PM
To: Greg Oravec; Shannon Martin; Stephanie Morgan; Jolien Caraballo; John Carvelli; MaryAnn Verillo; Christina Flores; Brandon Dolan
Subject: Seven 11

Dear To Whom It Concerns, Sandra and I live on 9672 SW Nuova Way in PGA Verano and we strongly disagree with putting a Seven 11 in the area of the Publix on Crosstown Parkway. The traffic at the roundabout, the lights 24 7, the tractor trailers coming in all hours of the night, the noise factor at night and early morning, the clientele and having another gas station/ convenience store right down the road on Fairgrounds Road will make this an undesirable place to live. Please vote a strong NO on this matter. Thank you, Ken Pacelli and Sandra Pacelli

Sent from my Verizon, Samsung Galaxy smartphone

From:	Greg Oravec
Sent:	Monday, October 28, 2019 11:54 AM
То:	Migdalia O'Leary
Cc:	Russ Blackburn; Brandon Dolan; Christina Flores; MaryAnn Verillo; Karen Phillips; Teresa Lamar-Sarno; James Stokes
Subject:	Re: 7-Eleven at Verano

Ms. O'Leary,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial). Additionally, for anyone trying to influence the decision-making process, I can't stress this enough--it is critical to submit into the record factual arguments and/or questions aimed at the special exception criteria.

If you have never participated in a quasi-judicial proceeding before, I would encourage you to read the policies and procedures found here,

https://library.municode.com/fl/port_st._lucie/codes/code_of_ordinances?nodeId=TITIIAD_C H32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212.

Sincerely,

Gregory J. Oravec

Mayor



City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 – Fax

From: Migdalia O'Leary <<u>migdalia.oleary@gmail.com</u>>
Sent: Sunday, October 20, 2019 9:29 AM
To: Greg Oravec
Cc: Shannon Martin
Subject: Fwd: 7-Eleven at Verano

Subject: 7-Eleven at Verano

Based on Verano residents' limited knowledge and opportunity to be involved in the process, I would like to highlight a few concerns that I hope the City Council will address in its review process before approving the project.

1: Traffic

My understanding is that no actual data collection or analysis was performed of the traffic infrastructure, ingress and egress, current traffic counts or flow, and projected vehicle counts and ingress/ egress when construction is complete. The only thing that happened is an estimate of average additional vehicles per day (841) was calculated to the 7-Eleven based on an ITE manual, which itself recommends a bonafide traffic study. Indeed, the "ITE recommends that local rates be established via data collection." Why didn't the City, the applicant or a third party perform data collection of the traffic on Crosstown and Commerce <u>Centre Drive?</u> Relying on the ITE manual formula which only calculates additional average vehicles per day says nothing about where they come from, how they will enter and exit the 7-Eleven site, especially given problems with current entrances and exit routes, U-turn restrictions and other constraints. Relying on the ITE manual calculation for additional vehicle trips per day appears to be a narrow and invalid analysis of what will occur once opening day arrives. City staff fell short on this one allowing the applicant to move forward without studying the impact.

Our community respectfully asks that approval of the application be tabled until real time traffic data is obtained, not only with Crosstown extension being open, but also at peak season levels of traffic, for which the city surely has data. The impact on current and alternative ways into out of the 7-Eleven/Publix parking lot for vehicles returning to I-95, to the largest and closest local communities (PGA and Verano and Tradition) should be evaluated. Relocating the entrance to 7-Publix closer to I-95 and widening that entrance, for one thing, and creating a U-turn in the median strip or a left turn onto Crosstown out of the Publix parking lot before the current one?

2: Noise, glare, odor, crime and other detrimental effects upon adjoining properties constitute a nuisance.

The applicant claims that the 'existing berm and landscaping scheme is sufficient'. From whose point of view and as a barrier to what conditions exactly?

How tall is the gas canopy and its lights? How high are the 7-Eleven light poles front and back? What noise levels and nuisances can the homes closest to 7-Eleven expect to hear from 18 wheel vehicles, gas delivery tankers at early hours of the morning, product delivery trucks, waste removal, etc? What environmental dangers are being introduced to our community with operation of 16 gas pumps 24/7 and underground gas storage tanks?

In light of the application for a special exception, has 7-Eleven done a lighting or noise study to determine the actual impacts on those homeowners? Verano homes are designed so the master bedrooms and living rooms are on the rear side of the houses...the side closest to/facing the 7- Eleven for homes backing up to Commerce Centre Drive on Nuova Way. This is a facility that will be open 24 hours. Does their traffic study address the volume of traffic during late night and early morning hours, especially overnight?

Given the 24/7 nature of the business and proximity to I-95 exit, crimes such as panhandling, drug trafficking on the parking lot, armed robberies, and others will now be possible, even attractive at this presently quiet, residential location. Publix closes at 10 pm. There was no crime impact study and no input by local police, the sheriff's department or state police on crime statistics at convenience stores statewide. This is not a matter of making conclusory statements, the application must provide details, specifications and assurances.

What is the City going to require from the Applicant to ensure that the operation of this business does not constitute a visual, noise, environmental and/or crime nuisance to residents whose homes are closest to it?

3: Lighting and Signs

 Where is the plan with specifications on height of the poles, baffling, spillover, lumens? How tall is the fuel canopy and how bright will that be? Will it be visible to homes on Nuova Way? To the villas that have a direct line of sight to it?

It was not part of the any documents we have seen or that were shown at the planning and zoning hearing. We request to see the lighting plan and have it explained as to how it will address community concerns. "all required light shields on parking lot lighting will be used to minimize glare" is the only statement made in the application. <u>Where is the</u> <u>detailed lighting plan</u>? Promises, no specifications.

The applicant's claims are insufficient to support a special exception application. <u>Was the plan evaluated by the appropriate professionals? If</u> <u>not, why not</u>? Does the city approve the application solely based on the applicant's claims and promises? That is arbitrary. The plan shows light poles, but the locations are "tentative." If the location of the light poles and their impact on the neighborhood have not been determined, how can the application be approved?

_____ Where are the signage details? None were included in the Planning and Zoning hearing or at the so-called "

neighborhood meeting". Size? Placement?

4) Is this project really compatible with the adjacent property?

The applicant represents that the site was "carefully" selected in the original PUD. The site was selected, but use of any part of it for a 24/7 convenience store or gas station was not. If that were the case,7-Eleven with 16 gas pumps would not need a special exception. The city must have determined that the application did not conform to the PUD or a special exception would not have been required.

The applicant suggests that it is compatible with the adjacent property (Publix) because Publix owns the land and entered into a lease. However, they do not address any of the incongruent facts that make the use of a 24-hour gas and convenience store inconsistent with a neighborhood grocery store with limited hours. These are redundant businesses. Virtually all of the food, beverage, ice, cigarette, lottery and beer/wine products sold in the convenience store are already sold in Publix with few exceptions¹

5) Consideration of this business' impact on public safety in the area.

This proposed business is adjacent to a residential area that was never intended to attract the large numbers of pedestrian and vehicular traffic that a 24-hour 16 pump gas station will bring. Its easy on-easy off proximity to the I-95 ramp (less than 1/2 mile) means the armed robbers, drug traffickers, carjackers, etc can commit a crime here and get on I-95 in a matter of minutes. It is well established

that these types of establishments do cause a rise in both personal and property crimes in the premise on the parking facility. There is no reason to think that this location will be any different. The applicant's establishment may have security provisions, although we as a community have not seen them. But absent any description being provided by the applicant or a security professional we are in the dark as to exactly what they are.

Has there been any professional review of the applicant's security plan(s) by any law enforcement officials and an evaluation on how that may be hardened to protect our community? If not, Why not? No crime impact study was done, and yet a 700+ home community is but hundreds of feet away from the proposed business that attracts violent criminals.

Since this is being presented to the council as a quasi-judicial matter and the public is not allowed to ask questions, I would appreciate this being entered into the record so that you and the other council members can consider these concerns and perhaps ask these questions on our behalf during your deliberations. Thank you.

Migdalia OLeary

10157 SW Visconti Way

Port Saint Lucie, FL 34986

¹Slurpees, cooked hot dogs, cooked pizza.

From:	Greg Oravec
Sent:	Monday, October 28, 2019 12:01 PM
То:	Sharon Armstrong
Cc:	Russ Blackburn; Karen Phillips; Teresa Lamar-Sarno; James Stokes; Brandon Dolan; Christina Flores
Subject:	Re: Verano Publix 7-Eleven

Ms. Armstrong,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

While I cannot discuss the specifics of this case, I can share some general advice for anyone trying to influence the decision-making process in a quasi-judicial proceeding on a special exception application. I can't stress this enough--it is critical to submit into the record factual arguments and/or questions aimed at the special exception criteria. If you have never participated in a quasi-judicial proceeding before, I would encourage you to read the policies and procedures found here,

https://library.municode.com/fl/port_st._lucie/codes/code_of_ordinances?nodeId=TITIIIAD_C H32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212. Sincerely,

G

Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 – Fax

From: Sharon Armstrong <<u>ses@armstronginternational.com</u>>

Sent: Saturday, October 19, 2019 1:23 PM

To: Greg Oravec; Shannon Martin; Stephanie Morgan; Jolein.Caraballo@CityofPSL.com; John Carvelli;

MaryAnn Verillo; Christina Flores; Brandon Dolan **Subject:** Verano Publix 7-Eleven

I live in Verano. I am not in favor of the proposed 7-Eleven near Verano. It is my understanding that no traffic study has been done. It seems redundant to have a 7-Eleven right beside a Publix. I also understand that there is a proposed Circle K close by. Has an impact study been done on crime? I am not opposed to a business in that area just don't want a 24/7 service that will impact homes in our area.

Thanks.

Sharon Armstrong

From:	Greg Oravec
Sent:	Monday, October 28, 2019 1:16 PM
То:	Linda
Cc:	Russ Blackburn; Karen Phillips; Teresa Lamar-Sarno; Brandon Dolan; Christina Flores; James Stokes
Subject:	Re: proposed 7-11 Verano community

Ms. Mongello,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

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start: <u>https://www.cityofpsl.com/home/showdocument?id=1264</u>. Lastly, for specific questions about the special exception application process, this application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212.

Sincerely,

G

Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 - Office

772-871-7382 - Fax

From: Linda Lindamaggie2@aol.com
Sent: Wednesday, October 16, 2019 6:37 PM
To: Greg Oravec; Shannon Martin; stephanie.morgan@citiofpsl.com; Jolien Caraballo; John Carvelli;
MaryAnn Verillo; Christina Flores; Brandon Dolan
Subject: Re: proposed 7-11 Verano community

I have been a resident here for three years and before moving here Port Saint Lucie came up in the top 10 of safe cities whereby to live. (Which strongly influenced my decision to move here). Port Saint Lucie has recently been voted a top community against crime.

The residential area does not call for a 24/7 operation with gas pumps, which will bring much traffic and compromise the safety of the citizens.

In addition, the convenience store may sell many of the products Publix sells.

Also, please consider, there is a plan for a Circle K, 3/4 of a mile down the road (Crosstown and Fairgreen).

Please seriously consider the above comments; by allowing such a franchise in a very residential area will change the safety statistics in Port Saint Lucie, which our government officials are and should be proud of this standing.

Sincerely, Linda Mongello 17072 SW Ambrose Way Port Saint Lucie, FL 34986

Sent from my iPad

From:	Greg Oravec
Sent:	Monday, October 28, 2019 12:38 PM
То:	Mike O'Connell
Cc:	Russ Blackburn; Karen Phillips; Brandon Dolan; Christina Flores; Teresa Lamar-Sarno; James Stokes
Subject:	Re: 7/11 publix

Mr. O'Connell,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations. However, it would be helpful to confirm your name and address.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

While I cannot discuss the specifics of this case, I can share some general advice for anyone trying to influence the decision-making process in a quasi-judicial proceeding on a special exception application. I can't stress this enough--it is critical to submit into the record factual arguments and/or questions aimed at the special exception criteria. If you have never participated in a quasi-judicial proceeding before, I would encourage you to read the policies and procedures found here,

https://library.municode.com/fl/port_st. lucie/codes/code_of_ordinances?nodeId=TITIIAD_C H32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. If you have never reviewed the special exception application process, I think this is a good place to

start: <u>https://www.cityofpsl.com/home/showdocument?id=1264</u>. Lastly, for specific questions

about the special exception application process, this application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212.

Sincerely,

G

Gregory J. Oravec

Mayor



City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 – Fax

From: Mike O'Connell <<u>ktop48@gmail.com</u>>

Sent: Friday, October 18, 2019 2:23 PM

To: Shannon Martin; Stephanie Morgan; Jolien Caraballo; John Carvelli; MaryAnn Verillo; Christina

Flores; Brandon Dolan; Greg Oravec **Subject:** Fwd: 7/11 publix

Begin forwarded message:

From: "ktop48@gmail.com" <ktop48@gmail.com>

Subject: 7/11 publix

Date: October 18, 2019 at 2:14:14 PM EDT

To: mayor@cityofpsl.com

my wife

and i are totally against the 7/11 proposal it isn't benefiting the neighborhood the only benefit is the publix corporation

we have 2 gas stations that are 10 minute drives from the verano neighborhood the chevron in pga village and wawa in tradition.

there is no justification for more

mike and cindy o'connell

residents in verano

if you need my address i'll send it

ps i don't know what residents of port st lucie are on the planning board but its obvious they don't live over here whatever they were thinking when they approved this they should be replaced

From:	Greg Oravec
Sent:	Monday, October 28, 2019 1:28 PM
То:	Darrylyn Lombardi
Cc:	Russ Blackburn; Karen Phillips; Teresa Lamar-Sarno; Brandon Dolan; Christina Flores; James Stokes
Subject:	Re: 7-11 Proposed Gas Station and Convenience Store

Mr. & Mrs. Lombardi,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

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start: <u>https://www.cityofpsl.com/home/showdocument?id=1264</u>. Lastly, for specific questions about the special exception application process, this application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212.

In closing, please know that I appreciated your effort to make factual arguments and to link your arguments to studies.

Sincerely,

G

Gregory J. Oravec

Mayor



City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 – Fax

From: Darrylyn Lombardi <<u>darrylynelombardi@msn.com</u>>
Sent: Wednesday, October 16, 2019 12:54 PM
To: Greg Oravec; Shannon Martin; Stephanie Morgan; John Carvelli; Jolien Caraballo; MaryAnn Verillo; Christina Flores; Brandon Dolan
Subject: 7-11 Proposed Gas Station and Convenience Store

Honorable Mayor and Council Members,

Upon reading the Quasi-Judicial Hearing Procedures, the below is based on evidence in studies I have found:

7-11 Proposed Gas Station and Convenience Store

STUDIES SHOW THAT CONVENIENCE STORES AND GAS STATIONS CAN HAVE A SEVERE QUALITY OF LIFE IMPACT WHEN ALLOWED TOO CLOSE TO HOMES AND OTHER INAPPROPRATE LOCATIONS . THE CONVENIENCE STORE PROPOSED FOR THE SITE IS AN INAPPROPRIATE DEVELOPMENT – BOTH IN SIZE AND SCOPE – GIVEN THE ENVIRONMENTAL IMPORTANCE AND SENSITIVITY OF THE SITE, QUALITY OF LIFE ISSUES, CRIME AND THE PUBLIC HEALTH OF ALL WITHIN THE AREA.

NO MATTER WHAT ANYONE MAY TRY AND SAY, **NO GAS STATION IS** ENVIRONMENTAL.

A number of compounds injurious to human health are released while fueling vehicles. Health effects range from nausea to cancer. The cancer risk posed by gas station emissions stems from benzene and other compounds released to the atmosphere while pumping gas. Following is a sampling of relevant research:

- A <u>2003-2004 study</u> conducted in France documented a significant relationship between childhood leukemia and living near a gas station.(<u>https://www.ncbi.nlm.nih.gov/pubmed19213757</u>)
- A <u>2010 study</u> conducted in Spain documented elevated air pollution (https://www.ncbi.nim.hih.gov/.pubmed/20810207)
- In <u>2012, Brazilian</u> researchers found that air quality was significantly degraded up to 150 meters (492 feet) from gas stations.
 (https://www.sciencedirect.com/science/article/pii/S1309104215304384)

- A <u>2018 study</u> of two U.S. gas stations found that benzene emissions from underground gasoline storage tank vents were sufficiently high to constitute a health concern.
- Benzene is arguably the gasoline constituent most harmful to human health. <u>Adverse</u> <u>health effects of benzene</u> include cancer, anemia, increased susceptibility to infections, and low birth weight. According to the <u>World Health Organization Guidelines for Indoor</u> <u>Air Quality</u> there is no safe level for benzene. The following studies document the extent of benzene releases from gas stations:
 - A <u>study</u> published by the Canadian petroleum industry found average benzene concentrations of 146 and 461 parts per billion (ppb) at the gas station property boundary in summer and winter, respectively.
 - A <u>South Korean study</u> examined outdoor and indoor benzene concentrations at numerous residences within 100 feet and between 196 to 328 feet of gas stations and found median outdoor benzene concentrations of 3.1 and 1.9 ppb, respectively. Median indoor concentrations at these locations were higher, reaching 4.1 and 5.2 ppb, respectively.
 - <u>Another study</u> found median ambient benzene levels of 1.9 ppb in houses both <165 and >328 feet from a service station.

River, Lake, Well-Water & Other Aquatic Resource Impacts

Because of the high traffic volume and refueling, convenience stores-gas stations pose an unusually severe threat to ground and surface waters. <u>One study</u> found that contaminant levels in convenience store-gas station runoff were 5- to 30-times higher when compared to residential runoff. USEPA guidance advises caution with regard to allowing hotspot runoff to infiltrate the soil.

Fuel storage tanks and pipelines pose another source of contamination. Spillage at the pump is a more likely source of fuel release into nearby waterways. In fact, <u>Johns Hopkins University</u> <u>researchers</u> found that an average of 40 gallons of gasoline is spilled at a typical gas station per year at the pumps. The JHU researchers also found that a significant portion of the spilled gasoline can migrate through the concrete pads at many fueling stations.

So how far should a gas station be from a well or surface waters to reduce the likelihood of contamination to a reasonable level? Well, the key question is actually how far can one anticipate that a plume of spilled gasoline will travel underground. One <u>review of scientific</u> <u>studies</u> of plume travel indicated that the 90th percentile distance is 400 feet. Add another 100 feet for installing grout curtains or other containment measures and a gas station should be no closer than 500 feet to a well, wetland, spring, stream, river, pond, lake, reservoir or tidal waters.

Assessing Gas Station Need

Over the years CEDS (Community & Environmental Defense Services) searched the effects of many proposed convenience stores, gas stations and vehicle repair facilities. With regard to gas stations, the market area usually extends 0.5- to 1.5-miles. It takes about 3,000 to 6,000 people living or working within the market area to support a single gas station.

You can get a rough idea of need by seeing if 3,000 to 6,000 people live or work within a half to a mile and a half from the site

Many local zoning ordinances allow planning commissions and other decision-makers to consider need when asked to act on a request to build another gas station. Need should also be factored into a decision about a zoning change. As far as need, there is also a Circle K gas station being built down the street.

Good & Bad Convenience Store-Station Locations

Given the impacts and corrective measures described above, an optimum convenience store-gas station location would have the following characteristics:

- At least **<u>1,000 feet from the nearest home</u>**;
- Buffered so the store <u>cannot be seen</u> or <u>heard</u> from the nearest home;
- Not within view of <u>historic resources</u>;
- At least 500 feet from wells, springs, streams, lakes, reservoirs or other highly sensitive ground or surface water resources;
- Located in a downtown or neighborhood commercial area;
- Well lit, but not to the point of causing <u>light trespass</u> into nearby homes;
- In an area with many passersby at all times and few escape routes for <u>criminals</u>.

This is evidence that I have found and respectfully ask this be considered in a least postponing and taking a new look at this. Thank you.

Respectfully submitted,

Darrylyn and Ronald Lombardi

From:	Greg Oravec
Sent:	Monday, October 28, 2019 12:50 PM
То:	katknight@gmail.com
Cc:	Russ Blackburn; Karen Phillips; Brandon Dolan; Christina Flores; Teresa Lamar-Sarno; James Stokes
Subject:	Re: 7-Eleven Special Exception Application at PGA Verano

Ms. Knight,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

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Sincerely,

G

Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 - Office

772-871-7382 - Fax

From: katknight@gmail.com <katknight@gmail.com>

Sent: Friday, October 18, 2019 7:21 AM

To: Greg Oravec; Shannon Martin; Stephanie Morgan; John Carvelli; Jolien Caraballo; MaryAnn Verillo; Christina Flores; Brandon Dolan

Subject: 7-Eleven Special Exception Application at PGA Verano

As the area around PGA Verano develops commercially, it is important that the community have input into any "special exception use" applications. The community should have adequate time to review and respond to special exceptions and be given due consideration for our concerns.

The city of Port Saint Lucie has been built and won awards for community involvement in the development process. Sadly, this has not happened on the 7-Eleven project. Because of the speed at which the application is moving forward, we feel that the community has not had sufficient time to determine if we have any factual arguments against the applicant's position or the staff recommendations or, in the alternative, to present reasonable demands of the city to have the applicant modify the plan to give PGA Verano better protection.

We should never lose sight that a "special exception" is just that, an exception that was not anticipated by the planned use of the property.

Based on our limited knowledge and opportunity to be involved in the process, we would like to highlight a few concerns that we hope the City Council will address in its review process before approving the project.

1: Traffic

The best that we can determine, no detailed analysis has been performed of actual traffic infrastructure, ingress and egress, current traffic counts or flow, and projected vehicle counts and numbers by ingress and egress when construction is complete and the convenience store and 24-hour gas station located within 1/2 mile from I-95 is open for business, especially during peak times "in season" between November and April each year. The applicant relied on simple calculations from the

Indeed, the "ITE recommends that local rates be established via data collection." Did the city, the applicant or a third part perform data collection of the traffic on Crosstown and Commerce Centre drive in lieu of or in addition to relying on the ITE manual formula which only calculates additional average vehicles per day? That # says nothing about where they come from, how they will enter and exit the 7-11 site, especially given current entrance and exit routes, U-turn restrictions and other constraints. Relying on the ITE manual calculation for additional vehicle trips per day appears to be a narrow and invalid analysis of what will occur once opening day arrives.

We respectfully ask that the city have the applicant obtain real time traffic data, not only predicted volume with Crosstown extension being open, but also at peak season levels of traffic, for which the city surely has data. The impact on current and alternative ways out of the 7-Eleven/Publix parking lot for vehicles returning to I-95, to the largest and closest local communities (PGA and Verano and Tradition) should be considered.

Institute of Transportation Engineers' (ITE) Trip Generation Manual to determine average vehicle trips per day. If this was not done, the validity of the application is in question.

2: Noise, glare, odor, or other detrimental effects upon adjoining properties.

The applicant claims that the 'existing berm and landscaping scheme is sufficient'. From whose point of view and as a barrier to what conditions exactly? How tall is the gas canopy? How high are the 7-Eleven light poles front and back? What noise levels and nuisances can the homes closest to 7-Eleven expect to hear from 18 wheel vehicles, gas delivery tankers at early hours of the morning, product delivery trucks, waste removal, etc?

In light of their application for a special exemption, have they done a lighting or noise study to determine the actual impacts on those homeowners? Verano homes are designed so the master bedrooms and living rooms are on the rear side of the houses... the side closest to/facing the 7-Eleven on Nuova Way.

This is a facility that will be open 24 hours. Does their traffic study address the volume of traffic during late night and early morning hours, especially overnight?

The applicant provided no analysis that the existing buffer will be adequate to protect the neighborhood from overnight traffic noise, etc. The application must provide details, specifications and assurances.

What is the city going to require, to ensure that the operation of this business does not constitute a visual and/or noise nuisance to residents whose homes are closest to it.

3: Lighting and Signs

Where is the plan with specifications on height of the poles, baffling, spillover, lumens? How tall is the fuel canopy and how bright will that be? Will it be visible to homes on Nuova Way? It was not part of the any documents we have seen or that were shown at the public hearing. We request to see the lighting plan and have it explained as to how it will address community concerns. "all required light shields on parking lot lighting will be used to minimize glare." is the only statement made in the application. We should be shown the lighting plan. The applicant's claims are insufficient to support a special exception application. Was the plan evaluated by the appropriate professionals? If not, why not? Does the city approve the application solely based on the applicant's claims and promises? That is arbitrary. The plan shows light poles, but the locations are "tentative." If the location of the light poles and their impact on the neighborhood have not been determined, how can the application be approved?

4) Is this project really compatible with the adjacent property?

The applicant represents that the site was "carefully" selected in the original PUD. The site was selected, but use of any part of it for a 24/7 convenience store or gas station was not. If that were the case, 7-11 would not need a special exemption. The city must have determined that the application did not conform to the PUD or a special exception would not have been required.

The applicant suggests that it is compatible with the adjacent property (Publix) because Publix owns the land and entered into a lease. However, they do not address any of the incongruent facts that make the use of a 24-hour gas and convenience store inconsistent with a neighborhood grocery store with limited hours. These are redundant businesses. Almost all of

the food, beverage, ice, cigarette, lottery and beer/wine products sold in the convenience store are already sold in Publix with few exceptions

5) Consideration of possible impact on public safety in the area.

This proposed business is adjacent to a residential area that was never intended to attract the large numbers of pedestrian and vehicular traffic that a 24-hour 16 pump gas station will bring. Its easy on-easy off proximity to the I-95 ramp (less than 1/2 mile) means the armed robbers, drug traffickers, carjackers, etc can commit a crime here and get on I-95 in a matter of minutes. It is well established that these types of establishments do cause a rise in both personal and property crimes in the premise on the parking facility. There is no reason to think that this location will be any different. The applicant's establishment may have security provisions, although we have not seen them. But without any description being provided by the applicant or a security professional we are in the dark as to exactly what they are.

Has there been any professional review of the applicant's security plan(s) and an evaluation on how that may be hardened to protect our community? If not, Why not?

Since this is being presented to the council as a quasi-judicial matter and the public is not allowed to ask questions, I would appreciate this being entered into the record so that you and the other council members can consider these concerns and ask the questions on our behalf during your deliberations.

Sincerely,

Kathryn Knight

9900 SW Torriente Lane

From:	Greg Oravec
Sent:	Monday, October 28, 2019 1:23 PM
То:	CAROL SCHOELLNAST
Cc:	Russ Blackburn; Karen Phillips; Teresa Lamar-Sarno; Brandon Dolan; Christina Flores; James Stokes
Subject:	Re: Against 7-Eleven Project

Ms. Schnoellnast,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

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Sincerely,

G

Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 - Fax

From: CAROL SCHOELLNAST <<u>cschoellnast@msn.com</u>>
Sent: Wednesday, October 16, 2019 2:55 PM
To: Greg Oravec; Shannon Martin; Stephanie Morgan; Jolien Caraballo; John Carvelli; MaryAnn Verillo; Christina Flores; Brandon Dolan
Subject: FW: Against 7-Eleven Project

Appreciate passing on this message prior to the next meeting.

I like to voice my disapproval of the proposed 7-ELEVEN project near PGA VERANO.

Allowing the variance use of the land for 7-ELEVEN is met with great resistance by my community.

This project will change the character and appearance of our community and presents a real concern, risk

and dangers none of us imagined when we bought our home here. One major concern is traffic and safety. PSL is proud of their low crime record and the ½ cent sales tax going to road and traffic improvements. The final approval to go forward with this project will go against PSL positive mission and surely show me that there is no concern for Verano's residents. Please add my comments to the

so many others that are against this project and decline your approval at the next meeting.

Respectively, Carolyn Schoellnast 908 566-5427 10546 SW Capraia Way

PSL, FL 34986

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Sent:	Monday, October 28, 2019 1:23 PM
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Cc:	Russ Blackburn; Karen Phillips; Teresa Lamar-Sarno; Brandon Dolan; Christina Flores; James Stokes
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PSL, FL 34986

From:	Greg Oravec
Sent:	Monday, October 28, 2019 12:42 PM
То:	h z
Cc:	Russ Blackburn; Brandon Dolan; Christina Flores; Karen Phillips; Teresa Lamar-Sarno; James Stokes
Subject:	Re: Comments to City Council RE: P19-099 Seven Eleven #38890

Dear Mr. & Mrs. Spitzer,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

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Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 – Fax

From: h z <<u>howardzzzz@yahoo.com</u>>
Sent: Friday, October 18, 2019 12:34 PM
To: Greg Oravec; Shannon Martin; Stephanie Morgan; John Carvelli; MaryAnn Verillo; Christina Flores; Brandon Dolan; John Finizio; Jolien Caraballo
Subject: Comments to City Council RE: P19-099 Seven Eleven #38890

Greetings City Council:

This email is to express our concern regarding the proposed zoning change for a 7-Eleven Gas station and convenience store to be built next to Publix Verano.

We are residents of PGA Verano and have concerns about this rezoning request.

Our concerns are:

* The amount of traffic that will increase exponentially from 7-Eleven customers on Commerce Center drive. We believe that the provided

number of 841 daily trips to be a very low number, and actually may be quite a bit higher. We request that a detailed traffic study for this specific site be

conducted.

* The traffic coming from Tradition area on Crosstown will have to make a left turn and use the Verano Roundabout to enter the 7-Eleven

will increase greatly, creating circle overload and hazardous driving and walking conditions.

* The cars exiting from the 7-Eleven on to Commerce Center Drive that want to return to Route 95 will be forced to use the Verano

Roundabout. This will cause traffic congestion and a safety hazard to residents and those performing landscaping services to the area.

* The amount of additional cars and trucks that will exit route 95 to purchase gas and be using the Verano Roundabout, as 7-Eleven may have attractive gas

prices. With highway advertising, this may easily exceed car count estimates.

* The additional noise that will be generated from the 7-Eleven operations 24 hours per day 7 days per week will impact the quality of life

for homeowners and residents of Verano. The location of the proposed 7-Eleven will be 420 feet away from the closest homes in Verano.

Gas Deliveries can occur at any time of the day. Commercial refuse services may start very early. The close proximity to our homes will

impact the quality of life for the Verano residents and others in the area.

* The lighting from the 7-Eleven canopy and the area lighting will be seen in the evening hours and affect the serenity that is enjoyed by

the residents and passersby to the area.

* We have environmental concerns with the storage and delivery of thousands of gallons of fuel every few days in close proximity to our neighborhood. There

is always potential for a spill directly to the storm sewers and impacting our neighborhood. Even withstanding full compliance with the safety codes, an

unforeseen disaster is possible.

* All of these issues will likely have a negative impact on the residents of PGA Verano as far as property values and quality of life.

Please enter on the record that as residents of PGA Verano, we are AGAINST the zoning change P19-099 Seven Eleven#38890 and request that this change of zoning request be DENIED.

Thank You.

Howard Spitzer Cecilia Spitzer 17080 SW Ambrose Way Port St Lucie, FL 34986

From:	Greg Oravec
Sent:	Monday, October 28, 2019 1:02 PM
То:	rick.ferraro@centannimaritime.com
Cc:	Russ Blackburn; Karen Phillips; Brandon Dolan; Teresa Lamar-Sarno; James Stokes; Christina Flores
Subject:	Re: Development of a 7-11 Convenience Mart and Gas Station at Publix PGA Verano

Mr. Ferraro,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

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Mayor



City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 – Fax

From: rick.ferraro@centannimaritime.com <rick.ferraro@centannimaritime.com>

Sent: Thursday, October 17, 2019 11:21 AM

To: Greg Oravec; Shannon Martin; Stephanie Morgan; John Carvelli; Jolien Caraballo; MaryAnn Verillo; Christina Flores; Brandon Dolan

Subject: Development of a 7-11 Convenience Mart and Gas Station at Publix PGA Verano

All –

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This is a facility that will be open 24 hours. Does their traffic study address the volume of traffic during late night and early morning hours, especially overnight? The applicant provided no analysis that the existing buffer will be adequate to protect the neighborhood from overnight traffic noise, early morning delivery truck traffic noise and additional intrusive light? This is not a matter of making conclusory statements, application must provide details, specifications and assurances. What is the city going to require, to ensure that the operation of this business does not constitute a visual and/or noise nuisance to residents whose homes are closest to it.

3: Lighting and Signs

Where is the plan with specifications on height of the poles, baffling, spillover, lumens? How tall is the fuel canopy and how bright will that be? Will it be visible to homes on Nuova Way? It was not part of the any documents we have seen or that were shown at the public hearing. We request to see the lighting plan and have it explained as to how it will address community concerns. "all required light shields on parking lot lighting will be used to minimize glare." Is the only statement made in the application. Show us the lighting plan.

The applicant's claims are insufficient to support a special exception application. Was the plan evaluated by the appropriate professionals? If not, why not? Does the city approve the application solely based on the applicant's claims and promises? That is arbitrary. The plan shows light poles, but the locations are "tentative." If the location of the light poles and their impact on the neighborhood have not been determined, how can the application be approved? 4: Is this project really compatible with the adjacent property?

The applicant represents that the site was "carefully" selected in the original PUD. The site was selected, but use of any part of it for a 24/7 convenience store or gas station was not. If that were the case, 7-Eleven would not need a special exception. The city must have determined that the application did not conform to the PUD or a special exception would not have been required. The applicant suggests that it is compatible with the adjacent property (Publix) because Publix owns the land and entered into a lease. However, they do not address any of the incongruent facts that make the use of a 24-hour gas and convenience store inconsistent with a neighborhood grocery store with limited hours. These are redundant businesses. Virtually all of the food, beverage, ice, cigarette, lottery and beer/wine products sold in the convenience store are already sold in Publix with few exceptions1 5: Consideration of possible impact on public safety in the area

This proposed business is adjacent to a residential area that was never intended to attract

the large numbers of pedestrian and vehicular traffic that a 24-hour 16 pump gas station will bring. The easy on-easy off proximity to the I-95 ramp (less than ½ mile) means the armed robbers, drug traffickers, carjackers, etc. can commit a crime here and get on I-95 in a matter of minutes. It is well established that these types of establishments do cause a rise in both personal and property crimes in the premise on the parking facility. There is no reason to think that this location will be any different. The applicant's establishment may have security provisions, although we have not seen them. But absent any description being provided by the applicant or a security professional we are in the dark as to exactly what they are. Has there been any professional review of the applicant's security plan(s) and an evaluation on how that may be hardened to protect our community? If not, Why not? Since this is being presented to the council as a quasi-judicial matter and the public is not allowed to ask questions, I would appreciate this being entered into the record so that you and the other council members can consider these concerns and ask the questions on our behalf during your deliberations.

From:	Greg Oravec
Sent:	Monday, October 28, 2019 12:26 PM
То:	Gary Costello
Cc:	Russ Blackburn; Karen Phillips; Teresa Lamar-Sarno; Brandon Dolan; Christina Flores; James Stokes
Subject:	Re: Proposed 7 Eleven next to Publix at Verano

Mr. Costello,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

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https://library.municode.com/fl/port_st._lucie/codes/code_of_ordinances?nodeId=TITIIIAD_C H32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. Lastly, for specific questions about the application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212. Sincerely,

G

Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 – Fax

From: Gary Costello <garycostello23@gmail.com>

Sent: Saturday, October 19, 2019 10:36 AM

To: Greg Oravec; Shannon Martin; Stephanie Morgan; John Carvelli; Jolien Caraballo; MaryAnn Verillo;

Christina Flores; Brandon Dolan Subject: Proposed 7 Eleven next to Publix at Verano

To All,

Please be advised that we are against the proposed construction of a 7 Eleven near the Publix at Verano. The area where the proposed 7 Eleven is planned for is not conducive for a 24 hour convenience store / gas station. If it was, there would not have been a need to secure a "special exception".

We are not opposed to the improvement of this parcel and understand that it is commercial property, but we were hoping for a more family friendly establishment. Such a businesses would close at a reasonable hour and not impact the neighborhood in a negative way.

Thank you for your attention to this matter.

Best regards, Gary and Nanci Costello PGA Verano residents

From:	Greg Oravec
Sent:	Monday, October 28, 2019 1:34 PM
То:	M Weis
Cc:	Russ Blackburn; Brandon Dolan; Christina Flores; Karen Phillips; Teresa Lamar-Sarno; James Stokes
Subject:	Re: Proposed 7/Eleven on Crosstown Parkway

Ms. Weis,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

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start: <u>https://www.cityofpsl.com/home/showdocument?id=1264</u>. Lastly, for specific questions about the special exception application process, this application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212.

Sincerely,

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Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 - Fax

From: M Weis <<u>mweis3@gmail.com</u>>
Sent: Wednesday, October 16, 2019 11:57 AM
To: Greg Oravec
Cc: Shannon Martin; Stephanie Morgan; Jolien Caraballo; John Carvelli; MaryAnn Verillo; Christina
Flores; Brandon Dolan
Subject: Proposed 7/Eleven on Crosstown Parkway

Mr. Oravek -

I have been a resident of Port St. Lucie for 4 1/2 years now and I strongly oppose the addition of a 24 hour 16 pump gas station and convenience store at the entrance to PGA Verano. I understand that you have received many complaints and I would like to add my perspective as well.

First and foremost, this is a very residential area and a quiet community. Between the existing Publix and a Circle K gas station already approved almost directly across the street, both businesses that the 7/Eleven will provide are superfluous. Additionally, it is clear that this business is not needed to serve the surrounding communities but rather to target travelers and truckers from 195 to make a quick stop for gas and junk food.

It is anticipated that this type of business will bring almost 850 additional visits per day at all hours of the day and night. Most of those vehicles will want to get directly back onto I95 and the infrastructure was not put in place to accommodate that volume or type of traffic...namely large tractor trailers and semi trucks. As an example, the entrance to the 7/Eleven will be less than a quarter mile from the on/off ramps to the highway. It was deemed unsafe to make a right turn on red from those ramps onto Crosstown Parkway due to speed and sight line issues. Why then would you want hundreds of cars and trucks each day darting across 4 lanes of traffic to make an illegal (at the moment) U-turn to get back onto the highway?

Additionally, the entrance to the parking lot can not accommodate this much additional traffic. It is my understanding that it will be a hard right immediately off Crosstown to get into the 7/Eleven parking lot. Again, this will wreak havoc on traffic following those cars and trucks trying to enter coming from a higher rate of speed. And the entrance to the Publix parking lot is no better. As it is set up now, any traffic waiting at the exit to dart across 4 lanes of traffic will block the main entrance to Publix. In fact, if there is only one truck or more than two cars waiting, the current entrance will be blocked. To my knowledge, a full traffic study was not conducted. At the very least, one should be done prior to approval of this project. Aside from traffic safety, a 24 hour business, especially one courting transient customers, will certainly attract crime. Port St. Lucie was just voted a top community against crime. Why jeopardize that standing for one business that is not meant to serve the community when there are so many other types of businesses that would be more appropriate for the neighborhood? A service business that operates during normal business hours is more in keeping with the residential nature of the location. The proposed 7/Eleven with 16 gas pumps is even bigger than ones along US 1 and is an easy target for crime with its proximity to 195. To my knowledge, a crime study was also not conducted and, if it was, was not shared with local residents. Additionally, the lighting, security camera, signage and landscaping plans have all not been shared with the community (if they have even been done). More good reasons to oppose the approval of this project or at the very least, table it until the proper research is completed.

St. Lucie West is growing tremendously with high end homes attracting the type of residents who want high end services. This is an opportunity to accommodate that need and help to raise the image of PSL as a whole. Please do not squander it by granting a variance and approving a business geared towards those outside our community. I urge you to consider the needs of your constituents and serve them with your vote rather than the truckers and travelers of Interstate 95.

I thank you for your time and consideration.

Monica Weis

From:	Greg Oravec
Sent:	Monday, October 28, 2019 1:29 PM
То:	Susan McNally
Cc:	Russ Blackburn; Karen Phillips; Teresa Lamar-Sarno; Brandon Dolan; Christina Flores; James Stokes
Subject:	Re: Proposed 7-Eleven at PGA Verano, Port St. Lucie, FL

Mr. & Mrs. McNally,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

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start: <u>https://www.cityofpsl.com/home/showdocument?id=1264</u>. Lastly, for specific questions

about the special exception application process, this application and staff's analysis, I would encourage you to contact the Planning & Zoning Department at 772-871-5212.

Sincerely,

G

Gregory J. Oravec

Mayor



City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 – Fax

From: Susan McNally <<u>mikeandsusan92316@gmail.com</u>
 Sent: Wednesday, October 16, 2019 12:48 PM
 To: Greg Oravec; Shannon Martin; Stephanie Morgan; <u>Jolien.carabello@cityofpsl.com</u>; MaryAnn Verillo;

John Carvelli; Christina Flores; Brandon Dolan **Subject:** Proposed 7-Eleven at PGA Verano, Port St. Lucie, FL

We have objections and concerns with regard to the proposed 7-Eleven at the above location. Issues remain unanswered are as follows:

1. No actual traffic study has been completed on ingress and egress or our actual streets and traffic volume--only an estimate of new vehicles per day coming to that site based on a formula in an ITE manual

- 2. No crime impact study having been done.
- 3. No information on amount or type of lighting or buffering or height of lighting.
- 4. The number or placement of security cameras.
- 5. Height, size and placement of signage
- 6. Height of gas canopy
- 7. Environmental safeguards
- 8. The redundancy of this convenience store with the products that Publix sells.

9. The redundancy of this business with the proposed Circle K 3/4 mile to the right at Crosstown and Fairgreen

10. The nuisance and dangers being introduced of a 24/7 operation, panhandling, carjacking, armed robbery, drug trafficking.

These are all legitimate concerns for the residents of PGA Verano as tax-paying residents of Port St. Lucie County. Surely, you can do better to serve your residents with the legitimate concerns as stated above.

All residents that have signed petitions share in the above concerns--ESPECIALLY NUMBER 10!!!

Michael and Susan McNally

10257 SW Canossa Way

Port St. Lucie, FL 34986

From:	Greg Oravec
Sent:	Monday, October 28, 2019 2:17 PM
То:	Herbert Nock
Cc:	Brandon Dolan; Christina Flores; Russ Blackburn; Karen Phillips; Teresa Lamar-Sarno; James Stokes
Subject:	Re: 7 Eleven Project Concerns

Mr. Nock,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

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Sincerely,

G

Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 – Fax

From: Herbert Nock <<u>herbnock@aol.com</u>>
Sent: Monday, October 14, 2019 12:04 PM
To: Greg Oravec
Subject: 7 Eleven Project Concerns

Dear Mayor Oravec,

I am writing regarding the proposed construction of a 7 Eleven next to Publix at Verano. There are two points I would like to raise regarding the project.

- 1. The increased traffic will substantially increase activity on the Verano rotary. I pay for the landscaping of this area through my HOA and do not feel it should become a thoroughfare for 7 Eleven. If the project does go forward, modifications should be made to enable customers to enter and exit on Crosstown Parkway.
- 2. Opening twenty four hours a day provides no incremental benefit to the community. Neighborhood residents are in bed by 11:00 PM and 95 travelers have gas stations available on exits before and after Crosstown. There is significant downside to the immediate neighborhood. I have lived in many locations around the country and 95 is the first road I have traveled which I feel is unsafe late I night. I have had two recent experiences where I have been harassed by route 95 drivers late at night. Twenty four hour operations by 7 Eleven invites this element into our community and exposes our neighborhood to their mayhem. Verano security is minimal late at night and many owners are seasonal offering ample opportunity for this element.

Thank you for your consideration of my concerns.

Herbert Nock

10465 SW Visconti Way

203-240-1917

From:	Greg Oravec
Sent:	Monday, October 28, 2019 2:20 PM
То:	beaseley96@gmail.com
Cc:	Russ Blackburn; Brandon Dolan; Christina Flores; Karen Phillips; Teresa Lamar-Sarno; James Stokes
Subject:	Re: 7-Eleven Project on Crosstown Adjacent to Publix at Verano

Ms. Miller,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

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Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 - Office

772-871-7382 - Fax

From: beaseley96@gmail.com>

Sent: Monday, October 14, 2019 10:24 AM

To: Greg Oravec; Shannon Martin; Stephanie Morgan; john.caravelli@cityofpsl.com; Jolien Caraballo; MaryAnn Verillo; Christina Flores; Brandon Dolan
Subject: 7-Eleven Project on Crosstown Adjacent to Publix at Verano

I am writing to inform you of my objections to the proposed "special exception" for the 7-Eleven on Crosstown adjacent to the Publix at Verano.

I live in Verano. My concerns are as follows:

Traffic

A detailed analysis of actual and projected traffic "in season" between November and April is needed. The impact of:

- the recent opening of the Crosstown extension,
- the addition of new homes in Verano,
- the traffic that will be added when the new School Board building opens, and
- rapid growth in Tradition all place new and increased demands on Crosstown and Commercial drive.

I have noticed a decided uptick in traffic this past year as Verano has expanded and also noted that PGA Village residents have been using the Crosstown exit at 195 in stead of St. Lucie West and 195 where congestion is high and traffic slow. It is fair to anticipate that more PGA Village residents will divert to Crosstown as congestion on St. Lucie West further increases with the opening of the new School Board office and work begins to widen the bridge at that exit over !95.

Compatibility with Adjacent Property

The original PUD did not include a 24/7 convenience store or gas station. With only a few exceptions, all of the products that will sold at the convenience store are available in Publix. Gasoline will be available from a previously approved Circle K just a short distance from this site. A 7-Eleven at this site is redundant.

Public Safety

The easy on and easy off proximity of the proposed business to 195 significantly increases the risk of armed robbers and drug traffickers and carjackers committing a crime and then quickly getting away on 195. The location is in a residential area that was never intended for a commercial business that is certain to attract large numbers of pedestrians and auto traffic at its 24 hour 16 pump gas station.

Public Notice

This project has apparently been under study for some period of time. However, only recently has information regarding the project been made aware to area residents that will be impacted by the project. The City that prides itself on community input should reach out to more of its citizens before approving a project that will certainly impact the nearby residential communities.

I enjoin you to allow more time for vetting of the project by area residents and for assessment of the impact of the project on traffic, compatibility with the proximate residential communities, and public safety.

Thank you for your consideration.

Barbara Miller 10171 SW Visconti Way Port St. Lucie, FL 34986 773-345-7123

From:	Greg Oravec
Sent:	Monday, October 28, 2019 1:54 PM
То:	Diane Miller
Cc:	Brandon Dolan; Christina Flores; Russ Blackburn; Karen Phillips; Teresa Lamar-Sarno; James Stokes
Subject:	Re: 711 GAS STATION AT CROSSTOWN AND VERANO INTERSECTION

Ms. Miller,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

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Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 - Office

772-871-7382 – Fax

From: Diane Miller <<u>dlmiller0516@gmail.com</u>>
Sent: Tuesday, October 15, 2019 2:54 PM
To: Greg Oravec; Shannon Martin; <u>stephnie.morgan@cityofpsl.com</u>; john.carvelli@cityofpsll.com; Jolien
Caraballo; MaryAnn Verillo
Subject: 711 GAS STATION AT CROSSTOWN AND VERANO INTERSECTION

I was disappointed to learn that the city planning commission recently voted on this issue without allowing citizens time to study and assess this before the vote. As a result, you did not hear from the many of us who oppose this 24 hour gas station. My biggest concern is the traffic impact to the circle where we leave and enter Verano. Having 800 plus daily cars entering the 711 is a big issue since the majority of these drivers will likely want to get back onto 95. The only way currently is for them to enter the traffic circle, go to the light and turn left onto Crosstown. I am also concerned about crime impact to our neighborhood.

It is imperative that if this 711 is approved that you must address the traffic issue. The only real solution is to allow U turns at the light so drivers don't have to enter the circle.

Ideally this whole project will be tabled until it can be further studied. Not sure why we even need a gas station at this location since another gas station is being built further west on Crosstown. That station will have far better traffic access and is not sitting on top of a community.

From:	Greg Oravec
Sent:	Monday, October 28, 2019 1:56 PM
То:	DAVID CHENOWITH
Cc:	Russ Blackburn; Brandon Dolan; Christina Flores; Karen Phillips; Teresa Lamar-Sarno; James Stokes
Subject:	Re: Absolute No to 7/11 Verano!!!

Mr. Chenowith,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

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City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 – Fax

From: DAVID CHENOWITH <<u>d.chenowith@comcast.net</u>>
Sent: Tuesday, October 15, 2019 2:16 PM
To: Greg Oravec; Shannon Martin; Stephanie Morgan; Jolien Caraballo; John Carvelli; MaryAnn Verillo;
Christina Flores; Brandon Dolan
Subject: Fwd: Absolute No to 7/11 Verano!!!

--------- Original Message ------From: DAVID CHENOWITH <<u>d.chenowith@comcast.net</u>> To: <u>d.chenowith@verizon.net</u>, <u>d.chenowith@comcast.net</u> Date: October 15, 2019 at 1:48 PM Subject: Fwd: Absolute No to 7/11 Verano!!!

> ------ Original Message ------From: DAVID CHENOWITH <<u>d.chenowith@comcast.net</u>> To: Date: at Subject: Absolute No to 7/11 Verano!!!

To Those who represent our voices,

The mere fact that this is an exception demonstrates that it is contrary to the design plan.

This is presently a bedroom/ retired /golf community. This isn't what we need. This isn't what we want.

There are at least 10 Gas stations within a 10 minute drive from my house and probably as many convenience stores. Once there is a gas station there will always be a gas station, with all the environmental risks associated with it. This property was designed for Local traffic and unless the ingress and egress are reworked for global traffic, Exit 120 will become problematic ie. traffic congestion, accidents. (not convenient!) This project represents all the greed, vice and short

sightedness our our present society.

We are new residents here and we picked Verano, primarily, for what it wasn't.

It wasn't overcrowded, it wasn't ugly with lights, retail signs, traffic and noise and it wasn't too far from essentials. We realized that eventually some of these values would be compromised.

All nice places are destroyed by vice and over development. Publix was the only representation of these disinterests but at least Publix demonstrates quality. I have already spent more time in negative contemplation of this plan than I have spent in convenience stores my whole life combined.

By the time this process is over it will probably be more time than I have spent in Gas stations too.

Gas is on the way out, unless you want to breathe artificial air ,drink bottled water and live indoors for eternity. Convenience is making the whole planet fat and lazy.

Convenience stores are probably 97% useless.

They offer minimum variety at a maximum price.

They are usually understaffed and subsequently, inconvenient and dangerous.

They provide a target for criminal activity that no one needs. The only time I need convenience, is when I travel and that is only because,

you can't carry everything you might need in an overhead bag.

I am far more likely to need a Hospital than a convenience store but

I'm sure I could never get to a hospital in less than 10 minutes.

GAS and SLURPIES, that's what I truly need!

I'm in the 750 zone,

I don't want anything there.

I don't want the pollution.

I don't want the addition noise.

I don't want the additional Light.

I don't want fuel in my water.

I don't want the additional traffic.

I don't need the convenience.

If you need to put something there I would prefer a place to eat a real meal, a real bakery, a real cafe.

Please be the cure. don't be the problem,

From:	Greg Oravec
Sent:	Monday, October 28, 2019 2:25 PM
То:	Michael
Cc:	Russ Blackburn; Karen Phillips; Teresa Lamar-Sarno; Brandon Dolan; Christina Flores; James Stokes
Subject:	Re: Objection to proposed Publix / 7-Eleven

Mr. Carr,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

While I cannot discuss the specifics of this case, I can share some general advice for anyone trying to influence the decision-making process in a quasi-judicial proceeding on a special exception application. I can't stress this enough--it is critical to submit into the record factual arguments and/or questions aimed at the special exception criteria. If you have never participated in a quasi-judicial proceeding before, I would encourage you to read the policies and procedures found here,

https://library.municode.com/fl/port_st. lucie/codes/code_of_ordinances?nodeId=TITIIAD_C H32DEBOCO_ARTIXPOPRQUDIPR, and to touch base with our City Attorney's Office at 772-871-5294. Additionally, you may want to Google "Citizens guide to quasi-judicial proceedings in Florida" to learn more from a third party. If you have never reviewed the special exception application process and its criteria, I think this is a good place to

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Gregory J. Oravec

Mayor

City of Port St. Lucie

121 SW Port St. Lucie Boulevard

Port St. Lucie, Florida 34984

772-871-5159 – Office

772-871-7382 – Fax

From: Michael <<u>michael219@gmail.com</u>> Sent: Monday, October 14, 2019 4:50 PM To: Greg Oravec Subject: Re: Objection to proposed Publix / 7-Eleven Dear Mayor Oravec,

Please see & read the attached letter regarding the "Special Exception Use, P19-098 Publix Supermarkets (7-11)" request.

I would ask that you please confirm receipt of this email and that the PDF attachment was successfully opened, read and submitted for the upcoming City Council meeting on 10/28/19.

Thank you very much!

Respectfully,

Michael Carr



Virus-free. <u>www.avast.com</u>

From:	Greg Oravec
Sent:	Monday, October 28, 2019 2:23 PM
То:	judith cordiello
Cc:	Russ Blackburn; Brandon Dolan; Christina Flores; Karen Phillips; Teresa Lamar-Sarno; James Stokes
Subject:	Re: Proposed 7-Eleven Store located at PGA Verano, Port St. Lucie, Fl.

Ms. Cordiello,

Thank you for writing the City about the 7-11 Special Exception application. Please know that your correspondence has been made part of the official public record, and I will be happy to consider it as part of my deliberations.

Additionally, please know that due to this application being a special exception and quasijudicial in nature, the City Council and I must act in a fact finding judicial role rather than a legislative one, and we must base our decisions on the facts and, more specifically, the competent substantial evidence entered into the record at the hearing. For these reasons, I will not discuss the case outside of the hearing (that would sort of be like you getting to talk to a judge before a trial and could be considered prejudicial).

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Mayor

City of Port St. Lucie

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From: judith cordiello <jscord@icloud.com
Sent: Monday, October 14, 2019 7:33 PM
To: Greg Oravec; Shannon Martin; Stephanie Morgan; John Carvelli; Jolien Caraballo; MaryAnn Verillo; Christina Flores; Brandon Dolan
Subject: Proposed 7-Eleven Store located at PGA Verano, Port St. Lucie, Fl.

I am writing this letter because I am against the proposed 7-Eleven that will built next to Publix of Verano. I am a resident of Verano, and I have a few concerns pertaining to this project.

1. I feel that having it opened 24 hours is unnecessary as it is also an invitation for crime. It will be in a totally residential area where most people are not out very late.

2. Traffic is another issue that needs to addressed. When entering off of Crosstown Parkway, trying to make either a left into Publix or a right to 7-Eleven (with cars also trying to exit Publix) will cause a traffic jam---or an accident waiting to happen. This area needs to be made much wider to accommodate the cars.

When leaving to get on to Crosstown, we need to be able to make a "U-Turn" at the light. Otherwise, people will have to use the circle at the entrance at our development. This will cause a huge amount of traffic, and unfortunately this may also increase accidents.

3. My last concern is why is it necessary to have 16 pumps in a residential area, when Port St. Lucie West (which is a commercial area) only has 12 pumps?

I am not against commercial stores, I just don't see the need for a 16 pump convenience store open 24 hours. We do have other gas stations within 2 miles of this proposed location.

I would appreciate it if the Planning & Zoning Committee will take our concerns into consideration before making any decisions about the proposed 7-Eleven.

Thank you,

Judi Cordiello

10356 SW Canossa Way

Port St. Lucie, FL. 34986