

P22-155

Gatlin Boulevard Car Wash

TYPE	STATUS	BUILDING TYPE
SEUV	CUSTOMER RESPONDED	

ASSIGNED TO

Melissa Perry; Public Works Engineering; Ivan Betancourt; Bethany Grubbs

ADDRESS

1801 Gatlin Blvd.

SECTION	BLOCK	LOT
31	1702	9,10 & Tr "P"

LEGAL DESCRIPTION

Lot 9, Lot 10 and Tract P of Block 1702

SITE LOCATION

northwest corner of Gatlin Blvd and SW Import Dr

PARCEL #

3420-650-0936-000-6

CURRENT LANDUSE	PROPOSED LANDUSE	CURRENT ZONING	PROPOSED ZONING
CG		CG	

ACREAGE	NON-RESIDENTIAL SQ. FOOTAGE	NO. OF RESIDENTIAL UNITS

NO. OF LOTS OR TRACTS	NO. OF SHEETS IN PLAT
0	0

UTILITY PROVIDER

CITY OF PORT ST. LUCIE

DESCRIBE REQUEST

We are requesting a Special Use to allow for a drive-thru carwash to be constructed Lots 9, 10 and Tract P of Block 1702

Primary Contact Email

bzackery@a-ces.com

AGENT/APPLICANT

FIRST NAME	LAST NAME
Brandy	Zackery

Business Name

ACES Arnold Consulting Engineering Services, Inc.

ADDRESS

P.O. Box 1338

CITY	STATE	ZIP
Bowling Green	KY	42102

EMAIL	PHONE
BZACKERY@A-CES.COM	2707809445

AUTHORIZED SIGNATORY OF CORPORATION

FIRST NAME	LAST NAME

ADDRESS

CITY	STATE	ZIP
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EMAIL	PHONE
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PROJECT ARCHITECT/ENGINEER

FIRST NAME	LAST NAME
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Business Name

HSQ Group, Inc

ADDRESS

2255 GLADES RD SUITE 305E

CITY	STATE	ZIP
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BOCA RATON	FL	33431
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EMAIL	PHONE
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GBALABAN@BOHLERENG.COM

PROPERTY OWNER**Business Name**

PS Lucie SR CGP, LLC

ADDRESS

361 Summit Blvd., Suite 110

CITY	STATE	ZIP
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Birmingham	AL	35243
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EMAIL	PHONE
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Lauren.McNeil@DrivenBrands.com	(832) 477-3995
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FINAL PERMIT INSPECTION REQUIRED BY:



Arnold Consulting Engineering Services, Inc.

P.O. Box 1338
Bowling Green, KY 42102

1136 South Park Drive, Suite 201
Bowling Green, KY 42103

Phone (270)780-9445
Fax (270)780-9873

City of Port St. Lucie, FL
Planning and Zoning
121 S.W. Port St. Lucie Blvd.
Port St. Lucie, FL 34984

RE: Special Use Application

To Whom it May Concern:

The intent of this letter is to address the SEU criteria listed under Section 158.260 of the Zoning Code.

SEU Criteria

Special exceptions are uses that would only be allowed under certain conditions and are reviewed to be compatible with the existing neighborhood. It is expected that any such approval be implemented in a timely manner to ensure the use is established under the physical conditions of the area in place when approved. Therefore, Special Exception Uses shall expire after one (1) year on the date of approval unless the applicant has received final site plan approval, or if a site plan is not required, the appropriate permits to allow development of the use to continue as approved.

Approval of a special exception application shall be granted by the City Council only upon a finding that:

(A) Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency. **Access spacing has been met according to the city's spacing requirements and joint access/connection is provided to the property west of the subject property**

(B) Adequate off-street parking, loading areas, and adequate stacking may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties. **We provide more stacking than the city's requirements. All site lighting, which is minimal, will be directed inward toward the property. Site lighting is minimal due to the operation of such a facility being primarily only in the daylight hours.**

(C) Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development. **According to a pre-application meeting with the city, utilities are currently available.**

(D) Adequate screening or buffering. Additional buffering beyond that which is required by the code may be required in order to protect and provide compatibility with adjoining properties. **Please see attached landscape plan, screening requirements have been met.**

(E) Signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required. **Understood and signage will comply**

(F) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties. **These requirements have been met and ample green space is provided. See Landscape Plan and Conceptual Site Plan.**

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

(H) Establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the City. **All access and other requirements will be met for the development therefore this project will not impair the health, safety, welfare or convenience of residents of workers in the City.**

(I) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity. The City may require certain uses such as car washes, gas stations, and other potential noise generating uses submit a noise impact analysis prepared by a qualified professional. **A noise impact study for a development identical to this project has been included in the submittals. Hours of operation are also primarily limited to the daytime hours and therefore should not be a nuisance to the area.**

(J) The use as proposed for development will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access location, light and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes, changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood. To minimize exposure to excessive noise, the City may require noise control features, limit hours of operation, and other mitigation methods. **This use does meet the surrounding area of commercial developments. The development is located at an intersection and access requirements have been met.**

(K) As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of neighborhood. **Noted and Understood**

(L) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both. **Yes and understood**

This Instrument Prepared By:
Scott Frederick
Baker Donelson Bearman Caldwell & Berkowitz, PC
420 20th Street North, Suite 1400
Birmingham, Alabama 35203

After recording, send deed and tax notices to:
PS Lucie SR CGP, LLC
361 Summit Blvd., Suite 110
Birmingham, AL 35243

Parcel ID No. 3420-650-0936-000-6

SPECIAL WARRANTY DEED

THIS IS A SPECIAL WARRANTY DEED executed and delivered to be effective as of the 16 day of December, 2021, by **SHILLELAGH GROUP, LLC**, a Delaware limited liability company, whose address is 114 Hammon Avenue, Palm Beach, Florida 33480 ("**Grantor**"), to **PS LUCIE SR CGP, LLC**, a Delaware limited liability company, whose address is 361 Summit Blvd., Suite 110, Birmingham, Alabama 35243 (hereinafter referred to as the "**Grantee**").

KNOW ALL PERSONS BY THESE PRESENTS, That in consideration of the sum of Ten and 00/100 Dollars and (\$10.00) in hand paid by Grantee to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, Grantor does by these presents grant, bargain, sell and convey unto Grantee that certain real property situated in St. Lucie County, Florida, as more particularly described on Exhibit A attached hereto and incorporated herein (the "**Property**");

TOGETHER WITH all appurtenances thereto belonging or in anywise appertaining;

TO HAVE AND TO HOLD unto Grantee forever in **FEE SIMPLE**, subject to real estate taxes for the year 2022 and all subsequent years not yet due and payable and those matters more particularly set forth on the attached Exhibit B (collectively, the "**Permitted Exceptions**");

AND THE SAID Grantor shall warrant and forever defend the right, title and interest to the **Property** unto Grantee against the claims of all persons claiming by, through or under Grantor, but not otherwise.

[Remainder page intentionally left blank]

IN WITNESS WHEREOF, the undersigned Grantor has duly executed this instrument under seal to be effective as of the date first set forth above.

Signed, sealed, and delivered in the presence of:

GRANTOR:

SHILLELAGH GROUP, LLC,
a Delaware limited liability company

Maria C Miller
Print name: MARIA MILLER

By: [Signature]
Name: Michael J. Flynn
Title: Member

Annie Osborne
Print name: ANNE OSBORNE

STATE OF CONNECTICUT)
COUNTY OF Fairfield) ss:

The foregoing instrument was acknowledged before me by means of physical presence, this 16 day of December, 2021, by Michael J. Flynn, Member of SHILLELAGH GROUP, LLC, a Delaware limited liability company. He/She is personally known to me or has produced Driver License + PASSPORT as identification.

[Signature]
NOTARY PUBLIC Maria C Miller

My Commission Expires: 8/31/2025



Exhibit A
Legal Description

Lots 9 and 10, and Tract P, Block 1702, Port St. Lucie Section Thirty One, according to the plat thereof, as recorded in Plat Book 14, Page 22, 22A through 22G, inclusive, of the Public Records of St. Lucie County, Florida.

Exhibit B
Permitted Exceptions

1. Restrictions, covenants, conditions, easements and other matters as contained on the Plat of Port St. Lucie Section Thirty One, recorded in Plat Book 14, Page 22, 22A - 22G, inclusive, of the Public Records of St. Lucie County, Florida.
2. Restrictions, covenants, and conditions as set forth in the Declaration of Restrictions recorded in Official Records Book 165, Page 2155.
3. Assignment Agreement recorded August 13, 1985 in Official Records Book 473, Page 1177.
4. Stipulated Order of Taking recorded in Official Records Book 817, Page 2091, as affected by Property Interest Assignment and Assumption Agreement and Deed of Transfer in Official Records Book 922, Page 1179, and as affected by Amended Order of Taking recorded in official Records Book 1013, page 2229, and as affected by Assignment and Assumption Agreement recorded in Official Records Book 1141, Page 2395.
5. Ordinance No. 95-039 recorded in Official Records Book 981, Page 1615.
6. Ordinance No. 95-039 recorded in Official Records Book 992, Page 2862.
7. Resolution No. 98-R49 recorded in Official Records Book 1157, Page 2701.
8. Ordinance No. 99-001 recorded in Official Records Book 1203, Page 1026.
9. Ordinance No. 00-002 recorded in Official Records Book 1301, Page 2302.
10. Revocable Encroachment Permit recorded September 23, 2002, in Official Records Book 1584, Page 1398.
11. Access and Utility Easement granted to the City of Port St. Lucie recorded July 19, 2006, in Official Records Book 2614, Page 2874.
12. Resolution No. 13-121 recorded in Official Records Book 3541, Page 731.
13. Unity of Title recorded May 1, 2015 in Official Records Book 3742, Page 12 and amended in Official Records Book 3778, Page 1786.
14. Utility Service Agreement with the City of Port St. Lucie recorded December 18, 2015, in Official Records Book 3818, Page 2473.