

**LETTER OF JUSTIFICATION
Wawa – PSL & Becker
Variance Application**

June 22, 2022

REQUEST

On behalf of the Petitioner, Engineering, Design, & Construction, Inc. (EDC) is requesting approval of a variance to Section 158.222 (B)(4) of the City of Port St. Lucie Land Development code for a project to be known as Wawa – PSL & Becker. The overall parcel totals 3.80 +/- acres of which 1.90 acres is being proposed as a Wawa Convenience Store with gas sales. The property is generally located on the south side of Becker Road and west side of Port St. Lucie Boulevard in Port St. Lucie, Florida. The petitioner is requesting approval of a variance to the 250' separation requirements from the driveway proposed on Becker Road to the Yacolt intersection. The project is proposing a 243.05' driveway separation from this intersection. This variance application is requesting approval of a 6.95' variance to the 250' separation requirements.

SITE CHARACTERISTICS & PROJECT HISTORY

The subject property is located within the City limits of Port St. Lucie and is currently undeveloped. The parcel ID associated with this project is # 3420-660-0012-000-4.

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

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

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

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

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

two northern parcels are undeveloped whereas the parcels to the southeast have single family residential homes constructed.

VARIANCE REQUIREMENTS

Section 158.295 (B) of the Port St. Lucie Land Development Code identifies the requirements for variance requests. The attached variance application meets all of the requirements of Section 158.295.

- (1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

RESPONSE: The subject property is located on the southwest corner of Becker Road and Port St. Lucie Boulevard. The proposed shared access road off Becker Road is designed to ensure that separation from Port St. Lucie Blvd. is met while still serving as a shared access point for the proposed Wawa and the future parcel. The Becker Road Overlay also impacts on the land due to design requirements and landscape buffer. Due to this, the circumstances do not result from any action by the applicant. During prior meetings regarding the Becker Road Overlay, many neighbors to the south and west spoke against having commercial access on residential roads. It is not practical for this property to only have access on Port St. Lucie Boulevard.

- (2) That the special conditions and circumstances do not result from any action of the applicant;

RESPONSE: The subject property is located on the southwest corner of Becker Road and Port St. Lucie Boulevard. The proposed shared access road off Becker Road is designed to ensure that separation from Port St. Lucie Blvd. is met while still serving as a shared access point for the proposed Wawa and the future parcel. The Becker Road Overlay also impacts on the land due to design requirements and landscape buffer. Due to this, the circumstances do not result from any action by the applicant. During prior meetings regarding the Becker Road Overlay, many neighbors to the south and west spoke against having commercial access on residential roads. It is not practical for this property to only have access on Port St. Lucie Boulevard.

- (3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district;

RESPONSE: The proposed driveway on Becker Road is designed to be a joint access road for both proposed parcels. To prevent cross-access from connecting to a residential street (Yacolt Drive), the shared access is proposed between the proposed parcels. We feel this is specific to the land creating a special condition. It is our opinion that the granting of this variance would not promote any special privileges.

- (4) That literal interpretation of the provisions of the chapter would deprive the

applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;

RESPONSE: The proposed shared access for the parcels has been designed to allow for the development of each. If the driveway was proposed further west, it would put further restrictions on development of the western portion of the subject parcel. It is impossible to meet the requirements of Section 158.295(B)(4) due to the proximity of Port St. Lucie Boulevard and Yacolt Drive. The City has approved similar variance requests to Section 158.295 (B)(4) allowing development of parcels to their intended potential.

(5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;

RESPONSE: This is the minimum variance possible to allow for development on both the eastern and western portions of this parcel.

(6) That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;

RESPONSE: The variance request is the minimum variance possible due to allow for the development on both the eastern and western portions of this parcel.

(7) That there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

RESPONSE: Acknowledged.

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

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