

RESOLUTION NO. 12-R46

COUNCIL ITEM 11A
DATE 5/29/12

A RESOLUTION GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION 158.124(C)(11) TO ALLOW AN AUTOMOBILE FUEL SERVICES STATION IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT FOR VALENTINE PROPERTIES, LLC AND PVD DEVELOPMENT (RACETRAC), LEGALLY DESCRIBED AS LOTS 7-10 AND 27-30, BLOCK 704, PORT ST. LUCIE SECTION 18, P11-167; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida, has been requested by Creech Engineers, Inc. acting as agent for the owner Valentine Properties, LLC PVD Development, to grant a special exception use of an automobile fuel service station on property presently zoned CG (General Commercial); and legally described as Lots 7-10 and 27-30, Block 704, Port St. Lucie Section 18; and

WHEREAS, the City Council determines that the granting of this special exception use is authorized by Section 158.255, et seq., and Section 158.124(C)(11), Code of Ordinances, City of Port St. Lucie, and further that the granting of this special exception use will not adversely affect the public interest; and

WHEREAS, the subject application has been reviewed in accordance with Section 158.260, and meets the special exception use requirements as stipulated; and

WHEREAS, the Planning and Zoning Board, on May 1, 2012, recommended approval (P11-167); and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Port St. Lucie as follows:

RESOLUTION NO. 12-R46

Section 1. That the City of Port St. Lucie hereby grants a special exception use to Valentine Properties, LLC PVD Development, P11-167, to allow an automobile fuel service station, pursuant to Section 158.255, et seq., and Section 158.124(C)(11) Code of Ordinances, City of Port St. Lucie, said special exception use is depicted on the conceptual plan which is hereby formally adopted and attached as Exhibit "A", to be located at 221 Port St. Lucie Boulevard and legally described as Lots 7-10 and 27-30, Block 704, Port St. Lucie Section 18.

Section 2. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this 29th day of May, 2012.

CITY COUNCIL
CITY OF PORT ST. LUCIE

BY: _____
JoAnn M. Faiella, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

Roger G. Orr, City Attorney

CITY OF PORT ST. LUCIE, FL - CITY COUNCIL

AGENDA ITEM REQUEST

MEETING: REGULAR X SPECIAL

DATE: May 29, 2012

ORDINANCE RESOLUTION X MOTION PUBLIC HEARING X

ITEM: P11-167 RACETRAC SERVICE STATION
 SPECIAL EXCEPTION APPLICATION

RECOMMENDED ACTION: The Planning and Zoning Board reviewed the request on May 1, 2012 and unanimously recommended approval.

EXHIBITS:

- A. Resolution
 - B. Staff Report
 - D. Support Materials
-

SUMMARY EXPLANATION/BACKGROUND INFORMATION: The requested special exception is to allow an automobile fuel service station per Section 158.124(C)(11) of the Zoning Code.

IF PRESENTATION IS TO BE MADE, HOW MUCH TIME WILL BE REQUIRED? None.

SUBMITTING DEPARTMENT: Planning and Zoning

DATE: May 15, 2012

**CITY OF PORT ST. LUCIE
PLANNING AND ZONING BOARD MEETING MINUTES
MAY 1, 2012**

A Regular Meeting of the PLANNING AND ZONING BOARD of the City of Port St. Lucie was called to order by Chair Blazak at 1:30 p.m., on May 1, 2012, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

CALL TO ORDER

ROLL CALL

Members Present: William Blazak, Chair
Ken Martin, Vice Chair
Brian Battle, Alternate
Steven Garrett
Ernie Ojito, Secretary

Members Not Present: Susan E. Parks (Excused)
Ryan Strickland (Alternate)

Others Present: Mayor JoAnn M. Faiella
Councilwoman Shannon M. Martin
Pam E. Booker, Senior Assistant
City Attorney
Daniel Holbrook, Planning and Zoning
Director
Anne Cox, Assistant Planning
And Zoning Director
John Finizio, Planner
Katherine Huntress, Planner
Thresiamma Kuruvilla, Planner
Carol M. Heintz, Assistant City Clerk

PLEDGE OF ALLEGIANCE

Chair Blazak led the assembly in the Pledge of Allegiance.

**APPROVAL OF MINUTES - MARCH 6, APRIL 3, AND THE SPECIAL MEETING
APRIL 11, 2012**

There being no corrections, the minutes were unanimously approved.

6. CONSENT AGENDA

C. P11-070 CITY OF PORT ST. LUCIE PRINEVILLE WASTEWATER TREATMENT PLAN TELECOMMUNICATIONS TOWER - SPECIAL EXCEPTION USE

Chair Blazak said, "This item as been pulled, and postponed to the June 5, 2012, meeting of the Planning and Zoning Board."

→ **D. P11-167 RACETRAC SERVICE STATION - SPECIAL EXCEPTION USE** ←

Ms. Huntress said, "The applicant is Creech Engineers, Inc., acting as the agent for the owner Valentine Properties, LLC and PVD Development. The property is located at 221 Port St. Lucie Boulevard on the north side of Port St. Lucie Boulevard, South of Chapman Avenue, west of Wayne Street, and east of Trenton Lane, and the existing zoning is CG. The future land use is also CG. It's the existing vacant used car lot that has been there for years. The proposed use is an automobile fuel station with a 5,928 square-foot one-story convenience store. The request of the Special Exception is to allow an automobile service station per Section 158.124(C)(11) of the Zoning Code. The Site Plan Review Committee reviewed the request on January 11, 2012, and unanimously recommended approval. The Planning and Zoning Department staff finds the request to be consistent with Special Exception criteria as stipulated in Section 158.260 of the Zoning Code and recommends approval."

BRIAN OATES, RaceTrac Petroleum, stated, "Just as a reminder, we showed you this building last month. This is about a 6,000 square-foot building, with the exterior being stacked stone and stucco. On the interior we're adding a significant number of different offerings from the typical convenience store. We have a large bakery section, a fresh fruit area, a large coffee station, and a new frozen yogurt stand. We're excited to be a part of the community."

Chair Blazak opened the Public Hearing.

ABBAS HASAN, on behalf of the Chevron Gas Station on Port St. Lucie Boulevard, noted, "I have been in that location for about two years. To allow a gas station of this magnitude on that road will end up eliminating ten stores. Each of us offers a certain quality to the community where all of us are able to survive, make money, and give back to the community. However, a store that great will. . . . If you open one, you will shut down ten of us. It wouldn't be fair to the rest of us. He might employ 20 to 30 employees, but in the long term you would be shutting down ten of us, and we employ maybe 200 people. With all due respect, I understand he wants to be in business as well, but I don't think the community would be able to have that size of a gas station here as well where all of us are able to live and

survive off of it. He offers 36 pumps, and the average gas station offers eight to twelve pumps. With that being said, I'm submitting a petition signed by most of my customers who also agree with what I'm saying. I wish that you would look into that."

There being no further comments, Chair Blazak closed the Public Hearing. Vice Chair Martin **moved** to recommend approval of the Special Exception Use Application, P11-167. Mr. Garrett **seconded** the motion, which **passed unanimously** by roll call vote.

→ **E. P11-168 RACETRAC RETAIL CONVENIENCE STORE - SPECIAL EXCEPTION USE** ←

Ms. Huntress said, "The details are the same as the previous project. The Conceptual Plan shows the convenience store. The request for Special Exception is to allow a retail convenience store per Section 158.124(C)(12) of the Zoning Code. The Site Plan Review Committee reviewed the request on January 11, 2012, and unanimously recommended approval. The Planning and Zoning Department staff finds the request to be consistent with Special Exception criteria as stipulated in Section 158.260 of the Zoning Code and recommends approval." Mr. Garrett stated, "I understand that this is a Concept Plan, so it's not the final Site Plan, and I'm assuming that will come through the Site Plan Review process as well. However, in reviewing it, it seems just to the north area where we say that there's a ten-foot landscape buffer being proposed, within that is there a wall as well? It jogs both north and south along that same buffer. In sections along that northern property line where the wall jogs closest to the adjacent residential street, you have less than two feet. I would encourage staff and possibly the applicant to look at that and see if there's any way of getting land back in that area, either by making that wall consistently at. . . . I think it's over five feet in width, so the buffering can take place and the adjacent neighborhood can be adequately protected and screened." Ms. Huntress noted, "We will make note of that. I know that the Site Plan is just conceptual. I think they're still working on the details of it." Mr. Oates commented, "That's an existing wall, so we're leaving it as is."

Chair Blazak opened the Public Hearing. There being no comments, Chair Blazak closed the Public Hearing. Mr. Garrett **moved** to recommend approval of P11-168, RaceTrac Retail Convenience Store for a Special Exception Use. Secretary Ojito **seconded** the motion, which **passed unanimously** by roll call vote.

F. P12-031 SPECIAL EXCEPTION APPLICATION - CROSSTOWN TOWER



City of Port St. Lucie
Planning and Zoning Department
A City for All Ages

TO: CITY COUNCIL - MEETING OF MAY 29, 2012

FROM: KATHERINE H. HUNTRESS, PLANNER *KHA*

RE: SPECIAL EXCEPTION APPLICATION (PROJECT NO. P11-167)
RACETRAC SERVICE STATION

DATE: MAY 15, 2012

APPLICANT: Creech Engineers, Inc.

OWNER: Valentine Properties, LLC and PVD Development

LOCATION: The property is located at 221 Port St. Lucie Boulevard, on the north side of Port St. Lucie Boulevard, south of Chapman Avenue, west of Wayne Street, and east of Trenton Lane,

LEGAL DESCRIPTION: The property is legally described as Lots 7-10 and 27-30, Block 704, Port St. Lucie Section 18.

SIZE: 1.84 acres

EXISTING ZONING: CG (General Commercial)

EXISTING USE: Vacant car sales lot

PROPOSED USE: The proposed use is an automobile fuel service station with a 5,928 square foot one story convenience store.

REQUESTED SPECIAL EXCEPTION: The requested special exception is to allow an automobile fuel service station per Section 158.124(C)(11) of the Zoning Code.

SURROUNDING USES: North = RS-2 (Single Family Residential) zoning, existing single family residences. South, east, and west = CG (General Commercial) zoning, existing commercial developments and to the west is vacant land.

IMPACTS AND FINDINGS:

Evaluation of Special Exception Criteria (Section 158.260)

(A) Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.

Applicant response: "At the east end of the property on SW Port St. Lucie Boulevard, a full access drive is proposed. At the west end of the property on SW Port St. Lucie Boulevard, a "right in right out" shared access drive is proposed. All emergency vehicles will be able to access the site easily as the site is designed to accommodate petroleum delivery vehicles. Adequate parking is provided adjacent to the building for pedestrian convenience and safety."

Staff evaluation: The applicant has adequately addressed the criteria. The applicant has provided a conceptual site plan that indicates two access points on Port St. Lucie Boulevard. The western access point is being shared with the adjacent property; however this should not adversely affect access for either site. A shared access agreement between the applicant and the adjacent property owner to the west has been provided by the applicant (see attached). The site plan will be required to provide cross access through the parking lot to the adjacent site to the east. Additionally, bicycle and pedestrian access will need to be better identified.

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

Applicant response: "The attached site plan reflects off street loading and parking areas. RaceTrac owns and operates hundreds of similar stores throughout the southeast and ensures that adequate off-street parking and loading areas are maintained. Buffers and setbacks for our use as required by City Code will be provided."

Staff evaluation: The applicant has adequately addressed the criteria. The conceptual site plan shows a 5,928 square foot convenience store with 12 gas pumps, and a total of 36 parking spaces which is not including the parking that can be counted adjacent to the gas pumps. §158.221(C) (13) requires one (1) parking space for each 200 square feet of gross floor area; therefore a 5,928 square foot building would require a total of 30 parking spaces; this site has more than adequate parking for the use.

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

Applicant response: "The existing site has all necessary utilities. City sanitary sewer connection points are available on both SW Port St. Lucie Boulevard and SW Chapman Avenue. The site has an existing city water service. Both facilities have adequate capacity to service our development."

Staff evaluation: The property is connected to City water and sewer and no additional capacity will be required for the proposed special exception use.

(D) Adequate screening or buffering. Additional buffering beyond that which is required by the code may be required in order to protect and provide compatibility with adjoining properties.

Applicant response: "Buffering and screening will be provided to meet city code."

Staff evaluation: The applicant has adequately addressed the criteria. The applicant has provided a conceptual site plan that indicates a 10' landscape buffer strip and a 6' CBS buffer wall on the north side of the property to adequately screen and buffer the site from the residential area. The applicant will be required to submit a landscape plan that meets all of the requirements of the city landscape code at time of site plan review.

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

Applicant response: "The RaceTrac lighting and signage will be required to meet city code. If RaceTrac desires to install lighting or signage that does not meet city code RaceTrac will seek a variance from the city code prior to the development of the site."

Staff evaluation: All sign applications will need to be processed according to the regulations outlined in the sign code (Chapter 155). P12-028 RaceTrac Sign Variance Application was denied by the Planning and Zoning Board on April 3, 2012. Any request for a variance that is denied by the Planning and Zoning Board may be appealed to the Board of Zoning Appeals. Appeal applications are made through the City Clerk's office and must be submitted within 15 days after the Planning and Zoning Board hearing. As of the date of this report no such appeal has been made. They requested a variance to Chapter 155 Sign Code of the Zoning Code that included the following:

- 1. An 18 square foot variance to Table 1 of Chapter 155 of the Sign Code. Said code allows a maximum of 32 square feet for a monument sign, whereas the applicant is proposing a maximum of 50 square feet for the monument sign.*
- 2. A variance to Chapter 155.08 (S)(1) of the Sign Code. Said code requires the numerical address to be exhibited on the monument sign, whereas the applicant is proposing no address on the monument sign.*
- 3. A 121 square foot variance to Chapter 155.08(K)(1) of the Sign Code. Said code allows a cumulative maximum of 32 square feet for gas station canopy signs, whereas the applicant is proposing a cumulative maximum of 153 square feet for the canopy signs.*
- 4. A 12 inch variance to Chapter 155.08(E)(b) of the Sign Code. Said code allows a maximum letter height of 24 inches, whereas the applicant is proposing a letter height of 36 inches for the canopy signs.*
- 5. A 9 inch variance to Chapter 155.08(E)(b) of the Sign Code. Said code allows a maximum letter height of 24 inches, whereas the applicant is proposing a letter height of 33 inches for the façade sign.*

6. A variance to Chapter 155.08(E)(1)(c) of the Sign Code. Said code requires that only the business name/logo and type of business be identified on the façade sign, whereas the applicant is proposing a sign advertising "FRESHLY BREWED COFFEE" on the façade.

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

Applicant response: "The design meets open space requirements."

Staff evaluation: The applicant has adequately addressed the criteria. The existing site has adequate yard and open space to properly serve the proposed development and ensure compatibility with adjoining properties.

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

Applicant response: "If the final desired RaceTrac design does not meet city code RaceTrac will seek variances from the code from the city. At that time the city can choose to grant, or not grant the variance. At this time RaceTrac seeks to determine if this special exception use will be granted for this site."

Staff evaluation: The proposed use is in conformance with Section 158.124(C)(11) and Section 158.213 of the Zoning Code.

(H) Establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the City.

Applicant response: "RaceTrac Petroleum owns and operates hundreds of stores in the southeast United States. RaceTrac Petroleum is a responsible company that strives to provide a safe environment for both its customers and employees. Lighting and security cameras are utilized for safety. The most up to date technology is utilized in respect to the storage and dispensing activities."

Staff evaluation: The applicant has adequately addressed the criteria. This report finds that the health, safety, welfare, and convenience of the residents and workers in the city should not be impaired by this use.

(I) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity.

Applicant response: "The site will experience usage normal for that of a gas station and convenience store."

Staff evaluation: By conforming to city codes, a service station at this location will not constitute a nuisance or hazard for anyone using this facility.

(J) The use as proposed for development will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access location, light, and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes or changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood.

Applicant response: "The site is located on a major roadway adjacent to similar uses. The site was previously the Ipanema Auto Mall. While the site abuts a residential neighborhood to the north adequate screening and buffering is in place as part of the last approved development."

Staff evaluation: The proposed use complies in regards to size, height, access, and light with Chapters 158.124(C)(11) and 158.255 and is compatible with the existing use of the adjacent properties. The applicant has provided a conceptual site plan that indicates a 10' landscape buffer strip and a 6' CBS buffer wall on the north side of the property to adequately screen and buffer the site from the residential area. The applicant will be required to submit a landscape plan that meets all of the requirements of the city landscape code at time of site plan review.

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

Applicant response: The applicant has noted this.

Staff evaluation: The applicant has acknowledged this.

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

Applicant response: The applicant has noted this.

Staff evaluation: The applicant has acknowledged this.

Compatibility with special exception criteria: As noted above, the proposed use is compatible with all of the special exception criteria.

Notice to Property Owners: Notice was sent to all neighbors within a 300 foot radius.

Related Projects:

P12-028 RaceTrac Sign Variance Application was denied by the Planning and Zoning Board on April 3, 2012 and is scheduled for the August 20, 2012 Zoning Board of Appeals meeting.

P12-168 RaceTrac Convenience Store Special Exception Use Application was recommended for approval by the Planning and Zoning Board on May 1, 2012 Planning and is scheduled for review by City Council on May 29, 2012.

STAFF RECOMMENDATION: The Site Plan Review Committee reviewed the request on January 11, 2012, and unanimously recommended approval. The Planning and Zoning Department staff finds the request to be consistent with special exception criteria, as stipulated in Section 158.260 of the Zoning Code, and recommends approval. The Planning and Zoning Board reviewed the request on May 1, 2012 and unanimously recommended approval.

SITE LOCATION



CROSTOWN PKWY

FLORIDA'S
TURNPIKE

**SUBJECT
PROPERTY**

PORT ST LUCIE BLVD



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ2011.DWG

SPECIAL EXCEPTION USE
LOTS 7-10 & 27-30 BLOCK 704
PORT ST LUCIE SECTION 18

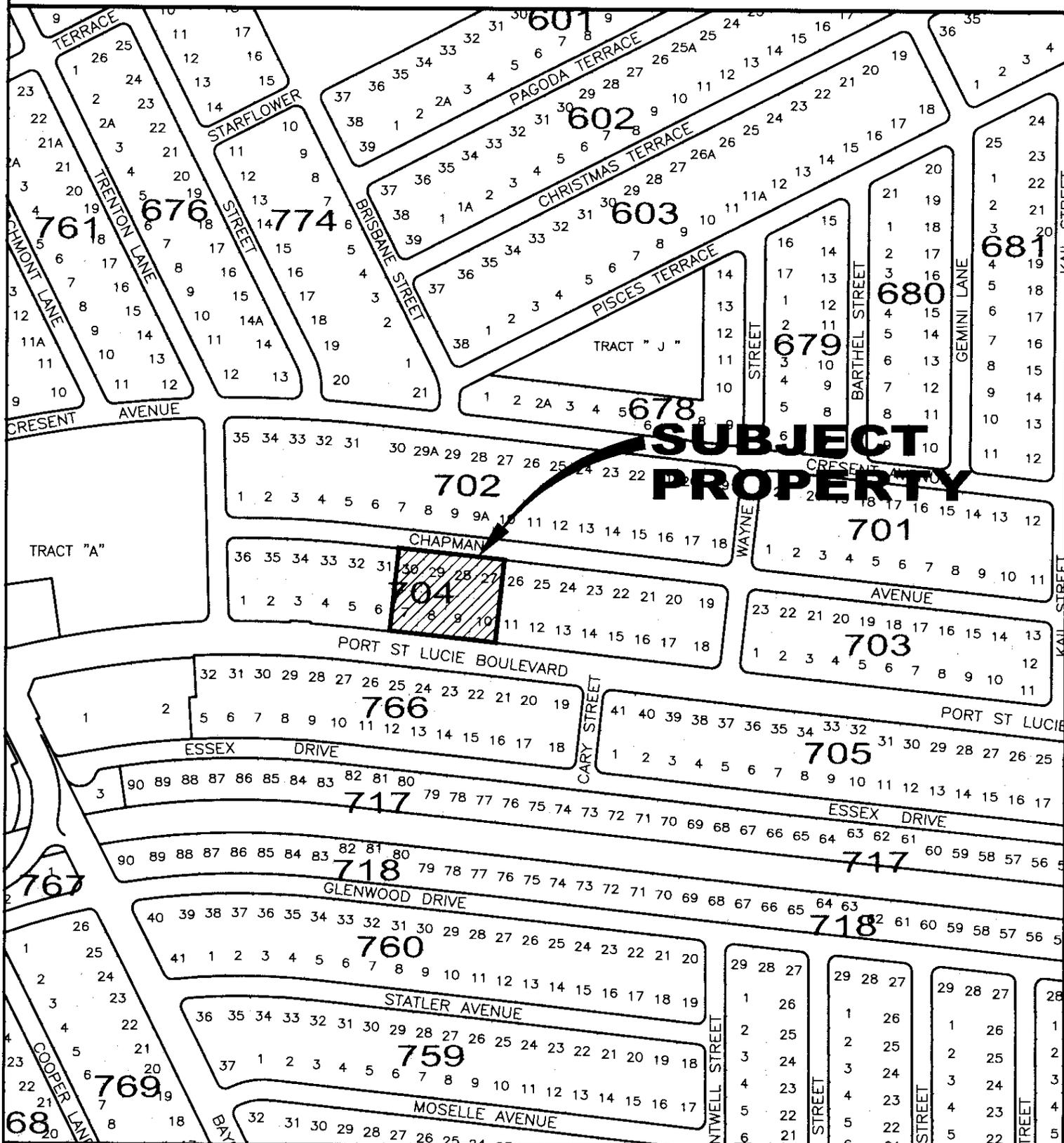
DATE: 12/9/2011

APPLICATION NUMBER:
P11-167

CADD FILE NAME:
P11-167L

SCALE: 1" = .5 MI

SITE LOCATION



SUBJECT PROPERTY



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT PZ2011.DWG

SPECIAL EXCEPTION USE
LOTS 7-10 & 27-30 BLOCK 704
PORT ST LUCIE SECTION 18

DATE: 12/9/2011

APPLICATION NUMBER:
P11-167

CADD FILE NAME:
P11-167M

SCALE: 1" = 400'

SITE LOCATION



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ2011.0WG

SPECIAL EXCEPTION USE
LOTS 7-10 & 27-30 BLOCK 704
PORT ST LUCIE SECTION 18
AERIAL DEC 2010

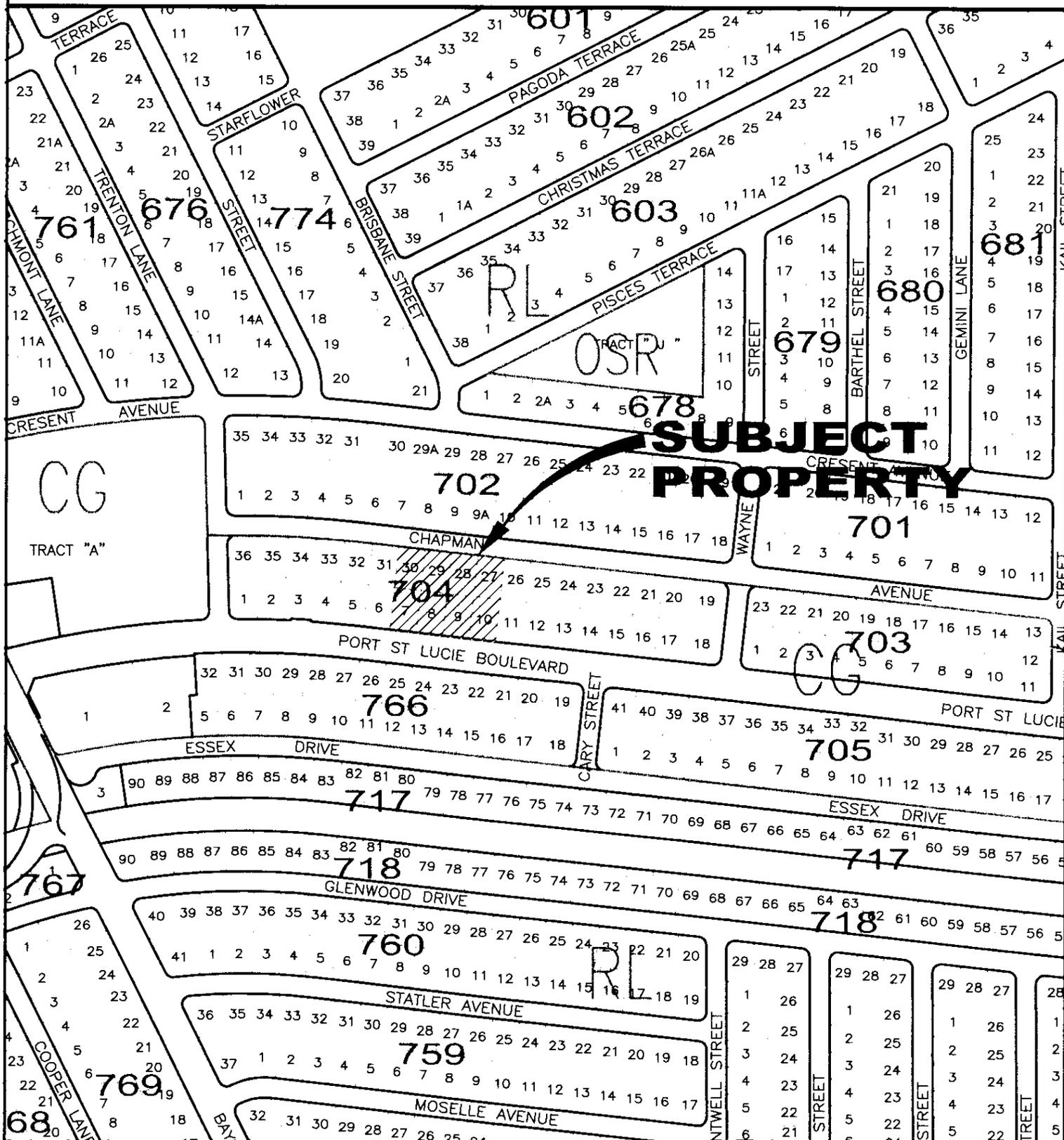
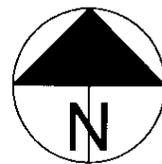
DATE: 12/9/2011

APPLICATION NUMBER:
P11-167

CADD FILE NAME:
P11-167A

SCALE: 1"=200'

FUTURE LAND USE



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ2011.0WG

SPECIAL EXCEPTION USE
LOTS 7-10 & 27-30 BLOCK 704
PORT ST LUCIE SECTION 18

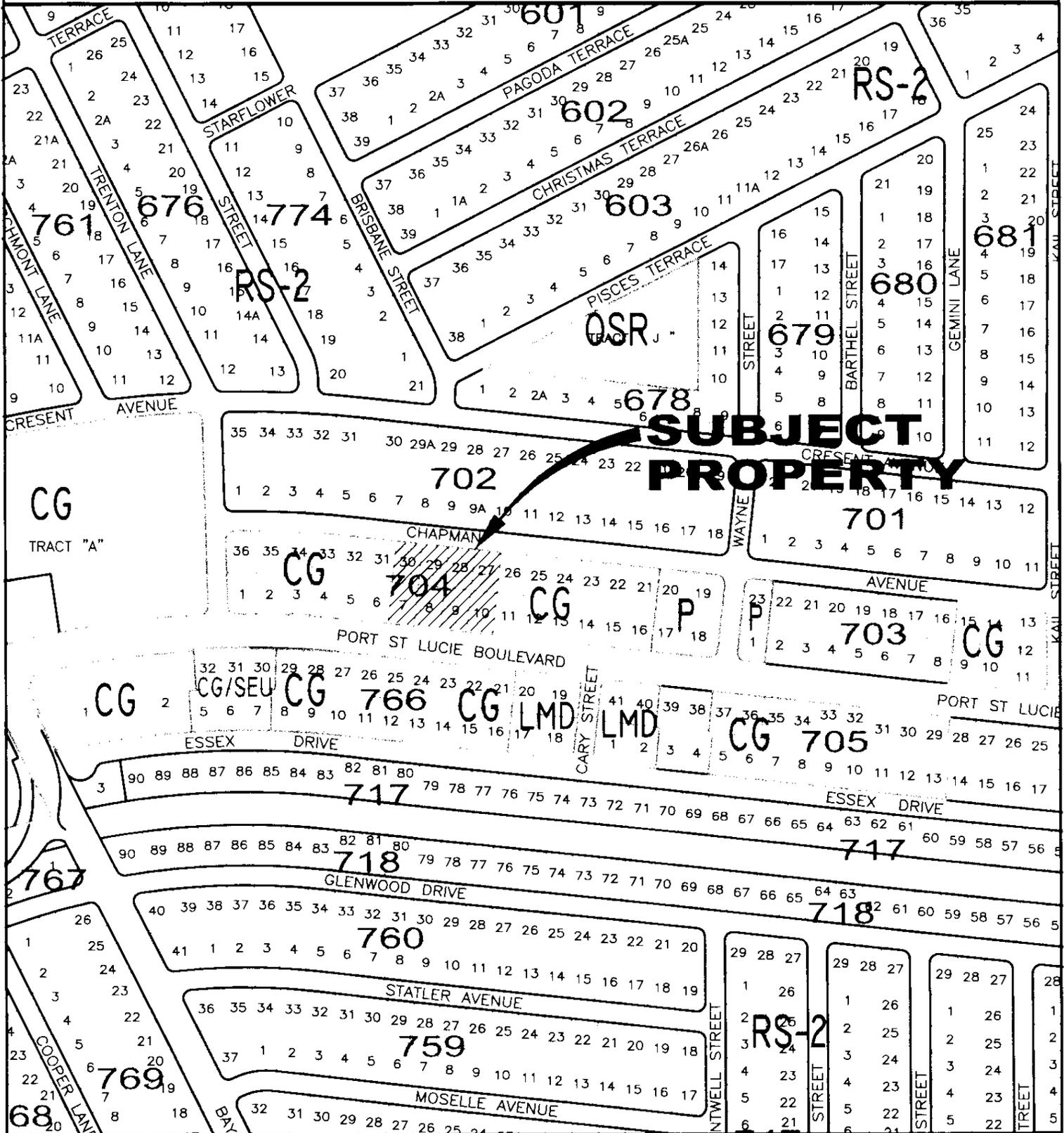
DATE: 12/9/2011

APPLICATION NUMBER:
P11-167

CADD FILE NAME:
P11-167M

SCALE: 1" = 400'

EXISTING ZONING



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ2011.DWG

SPECIAL EXCEPTION USE
LOTS 7-10 & 27-30 BLOCK 704
PORT ST LUCIE SECTION 18

DATE: 12/9/2011

APPLICATION NUMBER:
P11-167

CADD FILE NAME:
P11-167M

SCALE: 1" = 400'



4480 West Eau Gallie Boulevard
Suite 200
Melbourne, Florida 32904
Ph: (321) 255-8404 Fax: (321) 255-7781

November 29, 2011
11076.00

Sent Via: FedEx

City of Port St. Lucie
Planning and Zoning Department
121 SW Port St. Lucie Blvd.,
Port St. Lucie, FL 34984

RECEIVED

DEC - 1 2011

PLANNING DEPARTMENT
CITY OF PORT ST. LUCIE, FL.

**RE: Port St. Lucie RaceTrac
Special Exception Use Letter of Intent**

To Whom It May Concern:

Pursuant to City of Port St. Lucie Land Development Code please consider this letter of intent to submit for two (2) Special Exception Uses; one for a gas station, and a second for a convenience store.

The project consists of a +/- 6,000 square foot RaceTrac convenience store with 20 covered fuel positions and associated parking, signage, trash enclosure and landscaping. Underground improvements include; utilities, fuel storage tanks, re-use water and drainage facilities.

The proposed RaceTrac Petroleum convenience store and gas station is to be located at the former site of the Ipanema Auto Mall. The Site address is 221 SW Port St. Lucie Blvd., Port St. Lucie FL, 34984. The Parcel I.D. Number is 3420-585-1201-000-3. The site is currently owned by Valentine Properties LLC PVD Development. An Agent Authorization Letter has been provided by the owner of the subject property authorizing RaceTrac to execute all documents related to the permitting of the site.

Included within this submittal are the following documents separated into two respective packages; one for the gas station and one for the convenience store:

1. Sufficiency Checklist. Two (2) original copies; one for the gas station and one for the convenience store.
2. Thirty two (32) Cover letters; 16 for the gas station and 16 for the convenience store.
3. Thirty two (32) Applications for Special Exception Use; 16 for the gas station and 16 for the convenience store.
4. Thirty two (32) 11"x 17" concept plans; 16 for the gas station and 16 for the convenience store.
5. Thirty two (32) Owner's Authorization Letters.
6. Four (4) Quit-Claim Deeds indicating property ownership.
7. Two (2) checks in the amount of \$2115.00.

We appreciate the opportunity to present this project and look forward to working with you. If you should have any questions or require additional information, please do not hesitate to contact me at (321) 255-5434. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Erik Juliano', with a long horizontal flourish extending to the right.

Erik Juliano, P.E.

Creech Engineers, Inc.

ejuliano@creechinc.com

APPLICATION FOR SPECIAL EXCEPTION USE

FOR OFFICE USE ONLY

CITY OF PORT ST. LUCIE
Planning & Zoning Department
121 SW Port St. Lucie Blvd.
Port St. Lucie, Florida 34984
(772)871-5212 FAX (772)871-5124

Planning Dept: 11-167
Fee (Nonrefundable): 3,115.00
Receipt #: 11007

Refer to 'Fee Schedule' for application fee. Make check payable to the "City of Port St. Lucie". Fee is nonrefundable unless application is withdrawn prior to being scheduled for the Site Plan Review Committee meeting or advertising for the Planning and Zoning Board meeting. **Attach two copies of proof of ownership (e.g., warranty deed, affidavit), lease agreement (where applicable), approved Concept Plan or Approved Site Plan, and a statement addressing each of the attached criteria.**

PRIMARY CONTACT EMAIL ADDRESS: ejuliano@creechinc.com

PROPERTY OWNER:

Name: Valentine Properties LLC PVD Development Inc
Address: 1574 SE Oakfor Ave Port St Lucie FL 34957
Telephone No.: _____ Fax No.: _____

APPLICANT (IF OTHER THAN OWNER, ATTACH AUTHORIZATION TO ACT AS AGENT):

Name: Cory Hopkins PE See Exhibit "A"
Address: 3225 Cumberland Blvd, Suite 100 Atlanta, GA 30339
Telephone No.: (770) 431-7600 Fax No.: _____

RECEIVED
DEC - 1 2011

PLANNING DEPARTMENT
CITY OF PORT ST. LUCIE, FL

SUBJECT PROPERTY:

Legal Description: See attached Survey
Parcel I.D Number: 3426-585-1201-000-3
Address: 221 SW Port St Lucie Blvd. Bays: _____
Development Name: Ipanema Auto Mall (Attach Sketch and/or Survey)
Gross Leasable Area (sq. ft.): _____ Assembly Area (sq. ft.): _____
Current Zoning Classification: CG SEU Requested: Gas Station/Convenience Store

Please state, as detailed as possible, reasons for requesting proposed SEU (continue on separate sheet, if necessary):

The proposed use of a gas station requires a Special Exception Use Permit

[Signature]
Signature of Applicant

Cory Hopkins
Hand Print Name

11/29/11
Date

NOTE: Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted.

SPECIAL EXCEPTION USES

The Planning and Zoning Board, and Zoning Administrator, may authorize the special exception use from the provisions of § 158.260. In order to authorize any special exception use from the terms of this chapter, the Planning and Zoning Board, or Zoning Administrator, will consider the special exception criteria in § 158.260 and consider your responses to the following when making a determination.

(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.

At the east end of the property on SW Port St. Lucie Blvd. a full access drive is proposed. At the west end of the property on SW Port St. Lucie Blvd. a "right in right out" shared access drive is proposed. All emergency vehicles will be able to access the site easily as the site is designed to accommodate petroleum delivery vehicles. Adequate parking is provided adjacent to the building for pedestrian convenience and safety.

(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.

The attached site plan reflects off street loading and parking areas RaceTrac owns and operates hundreds of similar stores throughout the southeast and ensures that adequate off-street parking and loading areas are maintained. Buffers and setbacks for our use as required by City Code will be provided

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

The existing site has all necessary utilities. City sanitary sewer connection points are available on both SW Port St. Lucie Blvd and SW Chapman Ave. The site has an existing City water service. Both facilities have adequate capacity to service our 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.

Buffering and screening will be provided to meet City code.

(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.

The RaceTrac lighting and signage will be required to meet City Code. If RaceTrac desires to install lighting or signage that does not meet City Code RaceTrac will seek a variance from the City Code prior to the development of the site.

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

The design meets City open space requirements.

(G) Please explain how the use, as proposed, will be in conformance with all stated provisions and requirements of the City's Land Development Regulation.

If the final desired RaceTrac design does not meet City Code RaceTrac will seek variances from the Code from the City. At that time the City can choose to grant, or not grant the variance. At this time RaceTrac seeks to determine if this special exception use will be granted for this site.

(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.

RaceTrac Petroleum owns and operates hundreds of stores in the southeast United States. RaceTrac Petroleum is a responsible company that strives to provide a safe environment for both its customers and employees. Lighting and security cameras are utilized for safety. The most up to date technology is utilized in respect to the storage and dispensing activities.

(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.

The site will experience usage normal for that of a Gas Station and Convenience Store

(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.

The site is located on a major roadway adjacent to similar uses. The Site was previously the Ipanema Auto Mall. While the Site abuts a residential neighborhood to the north adequate screening and buffering is in place as part of the last approved development.


Signature of Applicant

Cory Hopkins
Hand Print Name

11/29/11
Date

PLEASE NOTE:

(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.

(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.

APPLICATION FOR SPECIAL EXCEPTION USE

CONVENIENCE STORE

"EXHIBIT A"

APPLICANT (IF OTHER THAN OWNER, ATTACH AUTHORIZATION TO ACT AS AGENT):

APPLICANT:

Name: Brian Oates

Address: RaceTrac Petroleum, Inc. racetrac.com 3225 Cumberland Blvd., Suite 100, Atlanta, GA
30339

Telephone No.: 770-431-7600 ext-1554 Fax No.: 678-556-1451

AGENT:

Name: Erik Juliano P.E., P.S.M.

Address: 4450 W. Eau Gallie Blvd., Suite 232 Melbourne, FL 32934

Telephone No.: 321-720-4530 Fax No.: 321-255-7751

Prepared By and Return To:
Tammy Lynn Duguay
Fidelity National Title Insurance Company
1837 SE Port St. Lucie Blvd.
Port St. Lucie, FL 34952

File No. 06-010-418567

Property Appraiser's Parcel I.D. (folio) Number (s)
3420-585-1201-000/3

SS#:

**RETURN TO
FIDELITY NAT'L TITLE
BOX 61**

COPY

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED executed December 27, 2006, by Valentine Properties, LLC a Florida Limited Liability Company, first party, to Valentine Properties, LLC, a Florida Limited Liability Company and PVD Development, Inc., a Florida Corporation, whose post office address is PO Box 9394, Port St. Lucie, FL 34985, second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, that the said first party, for and in consideration of the sum of \$10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land situate, lying and being in the County of Saint Lucie State of Florida, to-wit:

Lots 7 to 10, inclusive and Lots 27 to 30, Block 704, PORT ST. LUCIE SECTION EIGHTEEN, according to the plat thereof, as recorded in Plat Book 13, Page 17, 17A to 17K of the Public Records of Saint Lucie County, Florida.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

COPY

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

WITNESSETH:

Tammy Lynn Duguay
(Witness Signature)

Tammy Lynn Duguay
(Print Name of Witness)

Fern Brooks Pappalardo
(Witness Signature)

Fern Brooks Pappalardo
(Print Name of Witness)

Peter V. DeSantis
Peter V. DeSantis, President

PO Box 9394

Port St Lucie FL 34985
(Address and Phone Number)

STATE of Florida

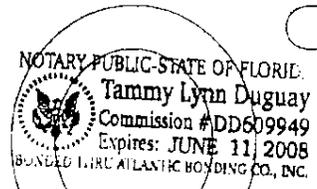
COUNTY of St Lucie

I HEREBY CERTIFY that on this day, before me, an Officer duly authorized in the State aforesaid and the County aforesaid to take acknowledgments, personally appeared Peter V. DeSantis President

to me known to be the person(s) described in or who has/have produced _____ as identification and who executed the foregoing instrument and he/she/they acknowledged before me that he/she/they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 27 day of DEC, 2008

My commission expires:



Tammy Lynn Duguay
Notary Signature
Tammy Lynn Duguay
Printed Notary Name

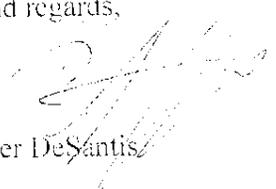
Valentine Properties, LLC,
a Florida Limited Liability Company and PVD Development, Inc.
a Florida Corporation

RE: Project # & Name: Project 1034, Port St. Lucie Blvd
Parcel location: 221 SW Port St. Lucie Blvd, Port St. Lucie, FL

To Whom It May Concern

This letter shall serve as written authorization that Cory Hopkins, P.E., and Brian Oates, employees of RaceTrac Petroleum Inc., and Erik Juliano, P.E., P.S.M. an employee of Creech Engineers Inc. are authorized to act on behalf of Valentine Properties, LLC, A Florida Limited Liability Company and PVD Development, Inc. a Florida Corporation in the permitting of the above referenced tract of land. In addition, please let this letter serve as written authorization for Cory Hopkins, P.E., and Brian Oates, employees of RaceTrac Petroleum Inc., and Erik Juliano, P.E., P.S.M. an employee of Creech Engineers Inc. to execute any applications or other documents in order to obtain any such permits, licenses, variances, and approvals.

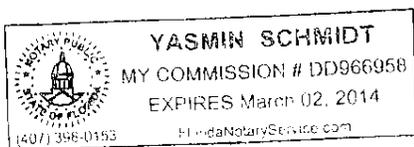
Kind regards,


Peter DeSantis

STATE OF FLORIDA

COUNTY OF ST LUCIE

The foregoing instrument was acknowledged before me this 19 day of March, 2013 by Peter DeSantis
✓ who is personally known to me or who has produced _____ as identification and who did (did not)
take an oath.




Notary Public

Yasmin Schmidt
Printed Name

Prepared by, and after recording,
please return to:

Philip F. West, Esq.
Corporate Counsel
Racetrac Petroleum, Inc.
3225 Cumberland Blvd., Ste. 100
Atlanta, Georgia 30339

MUTUAL ACCESS EASEMENT AGREEMENT

THIS MUTUAL ACCESS EASEMENT AGREEMENT (this "Agreement") is made as of the ____ day of _____, _____ (the "Effective Date"), by and between **RACETRAC PETROLEUM, INC.**, a Georgia corporation (hereinafter referred to as "Racetrac") and **BIGGS FAMILY LLC**, a Florida limited liability company (hereinafter referred to as "Biggs").

WITNESSETH:

WHEREAS, Racetrac is, or will be, the owner of certain real property (the "Racetrac Property") located in St. Lucie County, Florida, as more particularly depicted and described on Exhibit "A" attached hereto and incorporated by reference herein;

WHEREAS, Biggs is the owner of certain real property (the "Biggs Property") which is adjacent to the Racetrac Property and is more particularly depicted and described on Exhibit "B" attached hereto and incorporated by reference herein;

WHEREAS, each party desires and agrees to grant to the other a perpetual, non-exclusive mutual access easement for vehicular and pedestrian ingress and egress, over, across and through any driveways and related improvements to be constructed partially

upon the Biggs Property and partially on the Racetrac Property in the areas adjacent to Port St. Lucie Boulevard, more particularly described and depicted on Exhibit "C", attached hereto and incorporated herein (the "Mutual Access Easement Area"), all on terms and conditions set forth below;

NOW, THEREFORE, in consideration of the sum of Ten and No/100ths Dollars (\$10.00), for the mutual covenants and agreements hereinafter set forth, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Racetrac and Biggs hereby expressly agree as follows:

Grant of Access Easement to Racetrac. Biggs does hereby bargain, sell, grant and convey to Racetrac, for the benefit of and as an appurtenance to the Racetrac Property, a perpetual, non-exclusive right, privilege and easement in and to that portion of the Mutual Access Easement Area located on the Biggs Property for vehicular and pedestrian access, ingress and egress from and between the Racetrac Property and Port St. Lucie Boulevard, and for the maintenance and repair of the Driveway (as hereinafter defined).

Grant of Access Easement to Biggs. Racetrac does hereby bargain, sell, grant and convey to Biggs, for the benefit of and as an appurtenance to the Biggs Property, a perpetual, non-exclusive right, privilege and easement in and to that portion of the Mutual Access Easement Area located on the Racetrac Property for vehicular and pedestrian access, ingress and egress from and between the Biggs Property and Port St. Lucie Boulevard, and for the maintenance and repair of the Driveway.

Construction of Driveway; Grant of Temporary Construction Easement. Racetrac and Biggs shall each have the right, but not the obligation, to construct a shared driveway in the Mutual Access Easement Area (the "Driveway"). Each party hereby grants to the other party, for the foregoing purposes, a temporary construction easement over and across those portions of the Racetrac Property or the Biggs Property, as the case may be, located within twenty (20) feet of the Mutual Access Easement Area, which temporary easement shall expire thirty (30) days after the completion of the Driveway.

Maintenance. Following the completion of the Driveway, each party shall maintain and repair, to commercially reasonable standards, that portion of the Driveway located on such party's property. In the event a party fails to so perform such maintenance or repair, the other party may exercise the self-help remedy set forth in Section 12 below, in addition to any other remedies available at law or equity.

Attorneys' Fees. In connection with any litigation arising out of or in connection with this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs from the nonprevailing party.

Indemnification and Insurance. Without limiting the terms hereof, each party hereto, by acceptance of the easement rights granted herein, covenants and agrees to indemnify and hold harmless the other party from and against any and all losses, damages, costs, expenses (including, without limitation, reasonable attorneys' fees), liens, claims, suits and liabilities arising out of or connected with the indemnifying party's use and enjoyment of the rights granted under this Agreement, except to the extent any of the foregoing arise from the negligence of the indemnified party. Biggs and Racetrac shall each maintain commercial general liability insurance with commercially reasonable carriers and coverage limits, covering its property and its use of the easement rights granted hereunder.

Runs with Land. This Agreement and the easements, restrictions, rights, and obligations and liabilities created hereby shall be perpetual, shall be appurtenant to and run with title to the land affected hereby, and shall be binding upon and inure to the benefit of the parties hereto and their respective heirs and successors in-title. Notwithstanding the foregoing, in the event of the sale or transfer of either the Racetrac Property or the Biggs Property, the transferring owner of such parcel shall be relieved from all future obligations and liabilities under this Agreement (but not such liabilities and obligations that shall have accrued prior to such transfer) and the transferee of such parcel shall thereafter be liable therefor and shall be deemed to have assumed all such obligations and liabilities effective as the date of such transfer.

Waiver and Severability. The failure of a party to exercise any right given hereunder or to insist upon strict compliance with any term, condition or agreement specified herein, shall not constitute a waiver of such party's right to exercise such right or to demand strict compliance with any such term, condition or agreement under this Agreement. If any covenant or provision of this Agreement shall be held illegal, invalid, or unenforceable under present or future laws effective during the term of this Agreement, then and in that event, it is the intention of the parties hereto that the remainder of this Agreement shall not be affected thereby, and that this Agreement shall otherwise continue in full force and effect. It is the further intention of the parties that in lieu of each covenant, provision, or agreement of this instrument that is held illegal, invalid, or unenforceable, there be added as a part hereof a clause or provision as similar in terms to such illegal, invalid, or unenforceable clause or provision as may be possible and be legal, valid, and enforceable.

Reimbursement Provisions. Any reimbursement due to a party hereunder shall be due and payable within thirty (30) days after such party delivers an invoice therefor to the party obligated to make such payment.

Notices. All notices, demands, or requests required or permitted to be given pursuant to this Agreement shall be in writing and shall be deemed to have been properly given or served if by (i) hand delivery, (ii) reputable national overnight courier service, or (iii) prepaid, certified U.S. Mail, return receipt requested, and shall be effective upon

delivery or refusal. Any such notice, demand, or request shall be addressed to the applicable party as follows:

To Biggs: Biggs Family LLC
2608 SW BEAUCHONT AVE
PALM CITY, FL
34990

To Racetrac: Racetrac Petroleum, Inc.
3225 Cumberland Blvd., Ste. 100
Atlanta, GA 30339
Attention: General Counsel

Grant of Easements Only. This Agreement is not and shall not be construed, interpreted or enforced as a dedication of all or any portion of any property to public use or to the private use of any party other than Biggs and Racetrac, their respective invitees, customers, licensees, employees, agents, successors and assigns.

Self-Help. In the event either party fails to perform any obligation required to be performed under this Agreement, the other party may, upon reasonable notice to the defaulting party (except in the event of an emergency, in which event no notice shall be required), take such steps as the non-defaulting party deems reasonably necessary to cure such default, in which event the defaulting party shall reimburse the non-defaulting party for the costs and expenses associated therewith within thirty (30) days of receipt of an invoice therefor.

Miscellaneous.

(a) This Agreement shall be interpreted, construed, and enforced in accordance with the laws of the State of Florida.

(b) This Agreement may not be amended, modified, or terminated except in writing, executed and acknowledged by all the parties to this Agreement or their successors or assigns.

(c) Time shall be of the essence as to all covenants, terms, and conditions in this Agreement.

(d) This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original instrument, but all such counterparts together shall constitute one and the same instrument.

[Signatures contained on following pages]

IN WITNESS WHEREOF, the undersigned have duly executed this Agreement as of the date and year first above written.

RACETRAC:

WITNESSES:

RACETRAC PETROLEUM, INC.,
a Georgia corporation

[Signature]

Print Name: ROBERT J SVCHER

By: [Signature]
Name: Max Leuker
Title: President

(CORPORATE SEAL)

Print Name: Trey Spivey
Trey Spivey

STATE OF GEORGIA

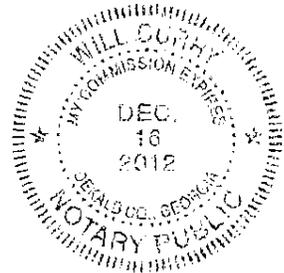
COUNTY OF COBB

The foregoing instrument was acknowledged before me this 5 day of MARCH, 2012 by MAX LEUKER, as PRESIDENT of Racetrac Petroleum, Inc., a Georgia corporation, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

[Signature] _____
Notary Public

Will Curry _____
Printed Name

My _____
expires: 12/16/2012



commission

IN WITNESS WHEREOF, the undersigned have duly executed this Agreement as of the date and year first above written.

WITNESSES

[Signature]

Print Name: SARILEE H. HARRIS

[Signature]

Print Name: SABARA J. GARRAMORE

BIGGS:

BIGGS FAMILY LLC, a Florida limited liability company

By: [Signature]
Name: ARTHUR E. BIGGS
Title: President

STATE OF FLORIDA

COUNTY OF Martin

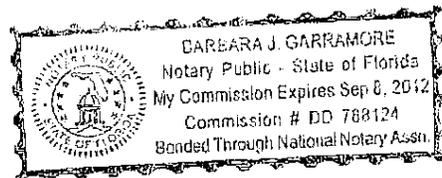
The foregoing instrument was acknowledged before me this 27 day of Feb, 2012, by Arthur Biggs, the President of Biggs Family LLC, a Florida limited liability company, who is personally known to me or who have produced _____ as identification and who did (did not) take an oath.

[Signature]

Notary Public

[Signature]

Printed Name



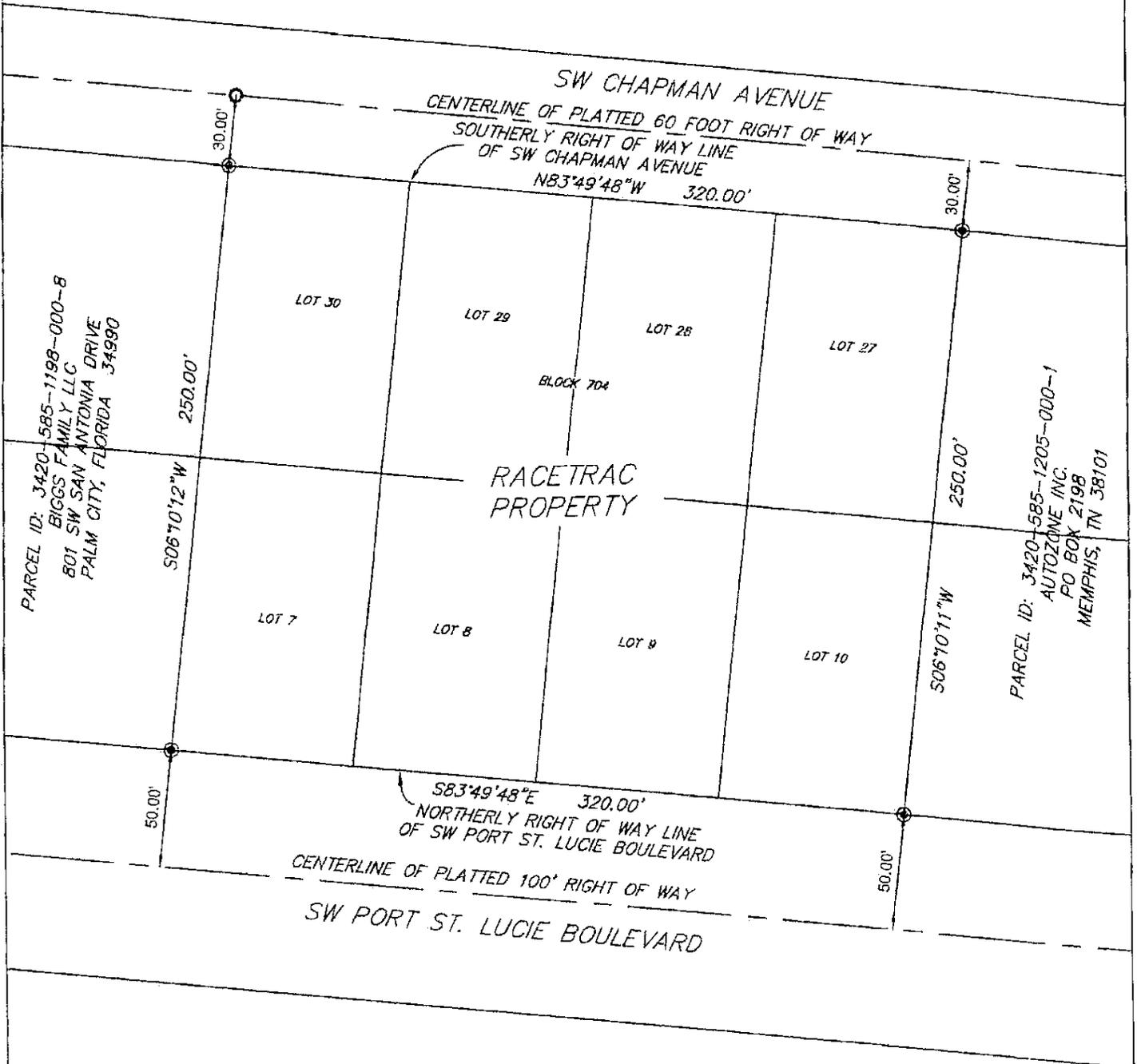
My commission

expires: _____

EXHIBIT "A"
SHEET 1 OF 2
RACETRAC PROPERTY

*THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ST. LUCIE, FLORIDA OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:
LOTS 7, 8, 9, 10, 27, 28, 29 AND 30, BLOCK 704, PORT ST. LUCIE SECTION EIGHTEEN,
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGES 17 & 17A-17K,
PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.*

EXHIBIT "A"
SHEET 2 OF 2



GRAPHIC SCALE IN FEET
DRAWING SCALE: 1" = 60'

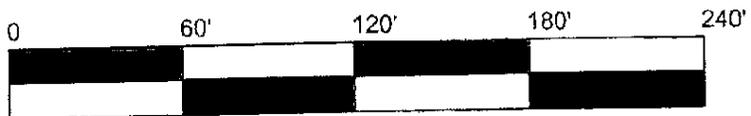


EXHIBIT "B"
SHEET 1 OF 2
BIGGS PROPERTY

*THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ST. LUCIE, FLORIDA OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:
LOTS 4, 5, 6, 31, 32, AND 33, BLOCK 704, PORT ST. LUCIE SECTION EIGHTEEN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGES 17 & 17A-17K, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.*

EXHIBIT "C"
SHEET 1 OF 2
MUTUAL ACCESS EASEMENT AREA

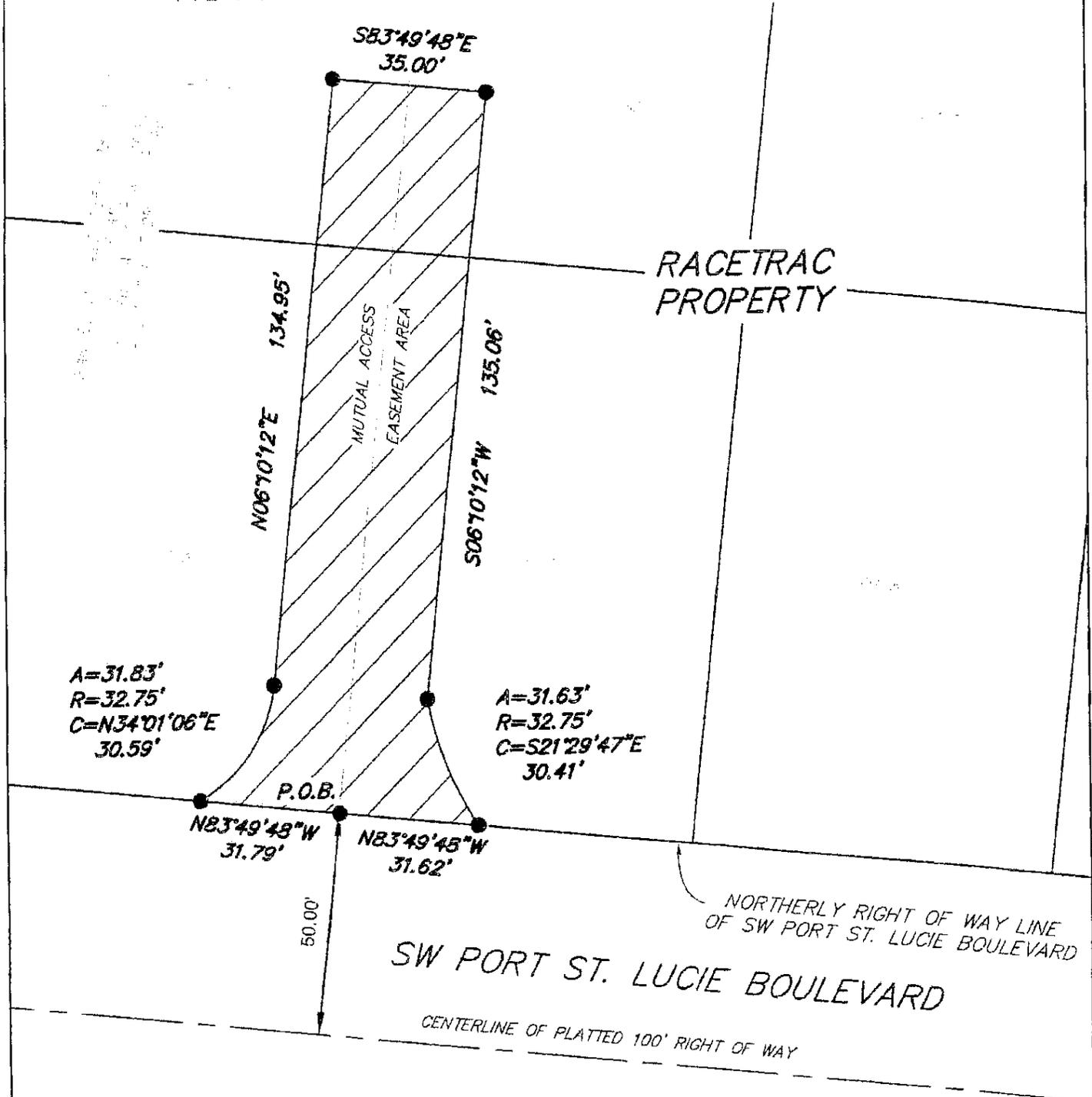
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ST. LUCIE, FLORIDA, BEING A PORTION OF LOTS 6 AND 31, BLOCK 704, PORT ST. LUCIE SECTION EIGHTEEN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGES 17 & 17A-17K, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

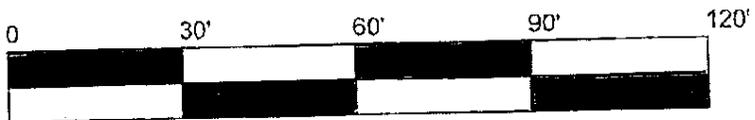
BEGIN AT A POINT LOCATED AT THE SOUTHEAST CORNER OF LOT 6; SAID POINT BEING LOCATED ON THE NORTHERLY RIGHT OF WAY LINE OF SW PORT ST. LUCIE BOULEVARD. THENCE N83°49'48"W, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 31.79 FEET TO A POINT; SAID POINT BEING A POINT OF CURVATURE FOR A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 32.75 FEET AND BEING SUBTENDED BY A CHORD BEARING N34°01'06"E, A DISTANCE OF 30.59 FEET; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 31.83 FEET TO A POINT; THENCE N06°10'12"E, A DISTANCE OF 134.95 FEET TO A POINT; THENCE S83°49'48"E, A DISTANCE OF 35.00 FEET TO A POINT; THENCE S06°10'12"W, A DISTANCE OF 135.06 FEET TO A POINT OF CURVATURE FOR A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 32.75 FEET AND BEING SUBTENDED BY A CHORD BEARING S21°29'47"E, A DISTANCE OF 30.41 FEET; THENCE ALONG THE ARC OF SAID CURVE 31.63 FEET TO A POINT LOCATED ON THE NORTHERLY RIGHT OF WAY LINE OF SW PORT ST. LUCIE BOULEVARD; THENCE ALONG SAID NORTHERLY RIGHT OF WAY, N83°49'48"W, A DISTANCE OF 31.62 FEET TO THE POINT OF BEGINNING.

CONTAINS: 6,708 SQ. FT. OR 0.151 ACRES MORE OR LESS

EXHIBIT "C"
 SHEET 2 OF 2
 MUTUAL ACCESS EASEMENT AREA



GRAPHIC SCALE IN FEET
 DRAWING SCALE: 1" = 30'



PROPERTY RECORD CARD

Biggs Family LLC Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 229 PORT ST LUCIE BV ParcelID: 3420-585-1198-000-8
 Sec/Town/Range: 08 :37S :40E Account #: 66672
 Map ID: 44/08N Land Use: SF Res
 Zoning: CG - PSL City/Cnty: Port St Lucie



Ownership and Mailing

Owner: Biggs Family LLC
 Address: 801 SW San Antonio Dr
 Palm City FL 34990

Legal Description

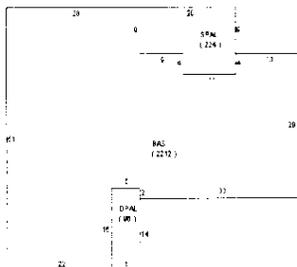
PORT ST LUCIE-SECTION 18- BLK 704 LOTS 4,5,6,31,32 AND 33
 (1.44 AC) (MAP 44/08N) (OR 3108-699)

Sales Information

Date	Price	Code	Deed	Book/Page
7/9/2009	363000	0001	WD	3108 / 0699
10/17/2007	0	03	FJ	2901 / 0897
4/7/2003	145000	00	WD	1693 / 1721
12/16/1998	69900	00	WD	1191 / 2742
1/29/1997	100	01	QC	1071 / 1946
5/27/1990	100	01	WD	0712 / 1619
8/1/1986	55000	00	CV	0512 / 1006
5/1/1985	0	01	CV	0464 / 1472

Assessment 2011 Final	Total Land and Building
2011 Final: 375500	Land Value: 366100 Acres: 1.44
Assessed: 375500	Building Value: 9400
Ag.Credit: 0	Finished Area: 1772 SqFt
Exempt:	
Taxable:	
Taxes: 9303.6	

BUILDING INFORMATION



Exterior Features

View:	-	RoofCover:	SD - Dim Shingle	RoofStruct:	HP - Hip
ExtType:	HC - HC	YearBlt:	1983	Frame:	-
Grade:	C - C	EffYrBlt:	1983	PrimeWall:	BS - CB Stucco
StoryHght:	0010 - 1 Story	No.Units:	1	SecWall:	-

Interior Features

BedRooms:	3	Electric:	MX - MAXIMUM	PmIntWall:	DW - Drywall
FullBath:	2	HeatType:	FHA - FrdHotAir	AvgHt/Ft:	
1/2Bath:	0	HeatFuel:	ELEC - Electric	Pm.Flors:	CU - Carpet
%A/C:	100	%Heated:	100	%Sprinkled:	0

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	No.	Land Use	Type	Measure	Depth
DWC - Driv-Concret	Y	1	720	AV	AV	1983	1	0100-SF Res	BI -Sq Feet	62685	

Land Information

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

Katherine Huntress

From: Daniel Holbrook
Sent: Thursday, May 17, 2012 8:25 AM
To: Katherine Huntress
Subject: FW: NO RACETRAC!!!
Attachments: image001.emz; image002.gif; image003.emz

Did this individual speak at the public hearing this month or at a previous one for this project?

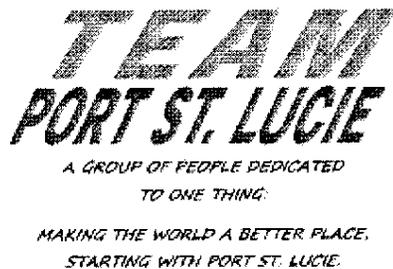
From: Greg Oravec
Sent: Wednesday, May 16, 2012 7:31 PM
To: Daniel Holbrook
Cc: Patty Lipp; MaryAnn Verillo
Subject: FW: NO RACETRAC!!!

For the file...

I was curious if the sender was affiliated with chevron gas...

Gregory J. Oravec
City Manager
121 SW Port St. Lucie Boulevard
Port St. Lucie, FL 34984

(772) 344-4371
(772) 871-5248 [fax]



From: Mayor Faiella
Sent: Wednesday, May 16, 2012 5:50 PM
To: Greg Oravec
Subject: Fwd: NO RACETRAC!!!

Sent from my iPhone

Begin forwarded message:

From: Mike Brill <rgchevron@aol.com>
Date: May 16, 2012 5:24:14 PM EDT

5/17/2012

To: Mayor Faiella <Mavor@cityofpsl.com>

Subject: NO RACETRAC!!!

To whom it may concern,

I have been informed of a new Racetrac gas station being put up on PSL Blvd. With all the traffic we already have going up and down PSL how will traffic even be able to move with this new station?? Not to mention the fact that it is already hard enough to turn onto PSL from say Autozone, due to the bend on the street. Please make sure this doesn't go up!!!

Sincerely,
A concerned citizen

Katherine Huntress

From: Daniel Holbrook
Sent: Thursday, May 17, 2012 8:17 AM
To: Katherine Huntress
Subject: FW: Racetrac Gas Station???
Attachments: image001.emz; image002.gif; image003.emz

See the initial email below.

From: Greg Oravec
Sent: Wednesday, May 16, 2012 7:31 PM
To: Daniel Holbrook
Subject: FW: Racetrac Gas Station???

For the file...

Gregory J. Oravec
City Manager
121 SW Port St. Lucie Boulevard
Port St. Lucie, FL 34984

(772) 344-4371
(772) 871-5248 [fax]

TEAM
PORT ST. LUCIE

*A GROUP OF PEOPLE DEDICATED
TO ONE THING:*

*MAKING THE WORLD A BETTER PLACE.
STARTING WITH PORT ST. LUCIE.*

From: Mayor Faiella
Sent: Wednesday, May 16, 2012 5:50 PM
To: Greg Oravec
Subject: Fwd: Racetrac Gas Station???

Sent from my iPhone

Begin forwarded message:

From: Amanda <surfingurl990@aol.com>
Date: May 16, 2012 5:38:02 PM EDT
To: Mayor Faiella <Mayor@cityofpsl.com>
Subject: Racetrac Gas Station???

With all the traffic and accidents that we ALREADY have on PSL Blvd, I can just imagine how many will come from the input of this new Racetrac. PSL Blvd can't handle this Racetrac, please move it somewhere else!!!

5/17/2012

Katherine Huntress

From: Daniel Holbrook
Sent: Thursday, May 17, 2012 8:19 AM
To: Katherine Huntress
Subject: FW: Racetrac Gas Station
Attachments: image001.emz; image002.gif; image003.emz

From: Greg Oravec
Sent: Wednesday, May 16, 2012 7:31 PM
To: Daniel Holbrook
Cc: Patty Lipp; MaryAnn Verillo
Subject: FW: Racetrac Gas Station

For the file...

Gregory J. Oravec
City Manager
121 SW Port St. Lucie Boulevard
Port St. Lucie, FL 34984

(772) 344-4371
(772) 871-5248 [fax]

TEAM
PORT ST. LUCIE

*A GROUP OF PEOPLE DEDICATED
TO ONE THING:*

*MAKING THE WORLD A BETTER PLACE.
STARTING WITH PORT ST. LUCIE.*

From: Mayor Faiella
Sent: Wednesday, May 16, 2012 5:50 PM
To: Greg Oravec
Subject: Fwd: Racetrac Gas Station

Sent from my iPhone

Begin forwarded message:

From: Betty Brill <bambrill@aol.com>
Date: May 16, 2012 5:03:43 PM EDT
To: Mayor Faiella <Mayor@cityofpsl.com>
Subject: Racetrac Gas Station

I have lived in P.S.L. for many years. There is a lot of traffic on PSL Blvd., if a Racetrac gas station opens there will be major traffic and probably accidents. This type of business is better suited for US Hwy #1 thank you.

5/17/2012

Katherine Huntress

From: Daniel Holbrook
Sent: Monday, May 21, 2012 7:27 AM
To: Katherine Huntress
Subject: FW: Racetrac gas station
Attachments: image001.emz

From: Greg Oravec
Sent: Friday, May 18, 2012 7:49 PM
To: Daniel Holbrook
Cc: Patty Lipp; MaryAnn Verillo
Subject: FW: Racetrac gas station

For file...

Gregory J. Oravec
City Manager
121 SW Port St. Lucie Boulevard
Port St. Lucie, FL 34984

(772) 344-4371
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TEAM
PORT ST. LUCIE

*A GROUP OF PEOPLE DEDICATED
TO ONE THING.*

*MAKING THE WORLD A BETTER PLACE.
STARTING WITH PORT ST. LUCIE.*

From: Mayor Faiella
Sent: Friday, May 18, 2012 5:17 PM
To: Greg Oravec
Subject: Fwd: Racetrac gas station

Sent from my iPhone

Begin forwarded message:

From: Ophelia Jane <opheliajane444@gmail.com>
Date: May 18, 2012 5:09:04 PM EDT
To: Mayor Faiella <Mayor@cityofpsl.com>, Linda Bartz
<district1@cityofpsl.com>, Michelle Berger <District2@cityofpsl.com>, Shannon
Martin <District3@cityofpsl.com>, Jack Kelly <District4@cityofpsl.com>

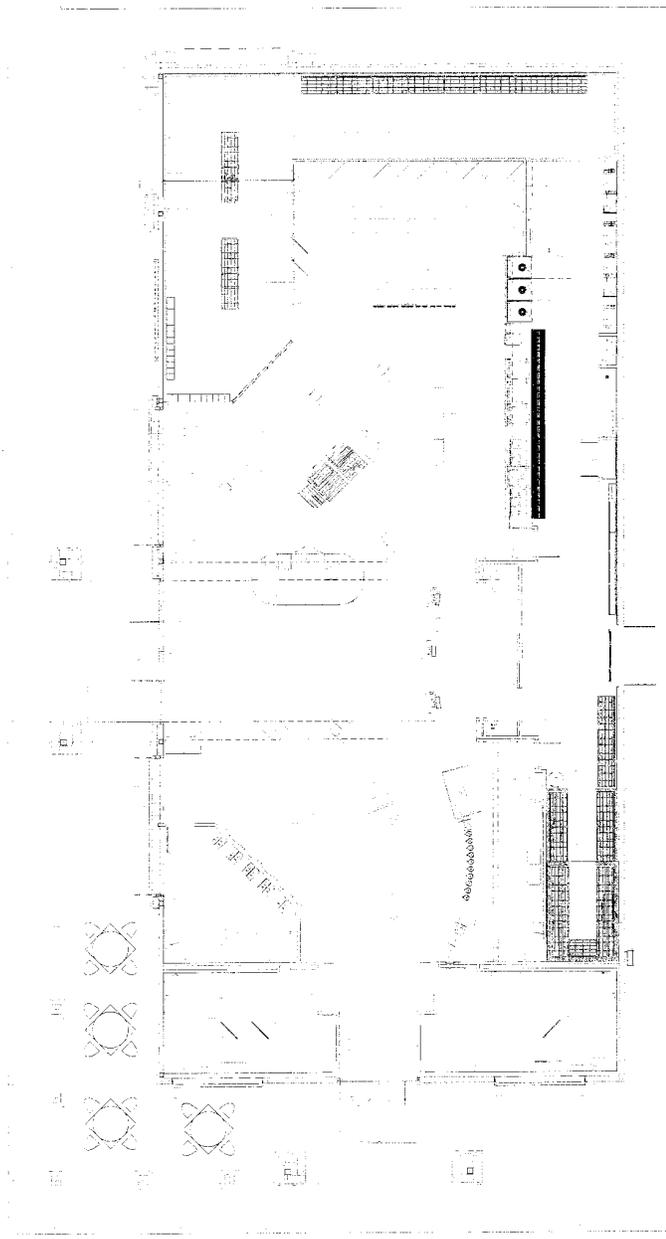
5/21/2012

Subject: Racetrac gas station

I have recently been informed that the city would like to put a Racetrac gas station on Port Saint Lucie Blvd. I, as a citizen of Port saint lucie would hate to see that happen. The traffic in Port saint lucie is already bad enough, and I am concerned that this would only make matters worse. Please choose not to do this. Thank you for your time. God bless.

11A
5-29-12

Parcific
 10000 W. 10th Avenue, Suite 100
 Golden, CO 80401
 Phone: (303) 440-1234
 Fax: (303) 440-1235
 Website: www.pacific.com



ANNEXION FLOOR PLAN

PROJECT INFORMATION
 NAME: PROJECT NAME
 DATE: DATE
 SHEET: SHEET NUMBER

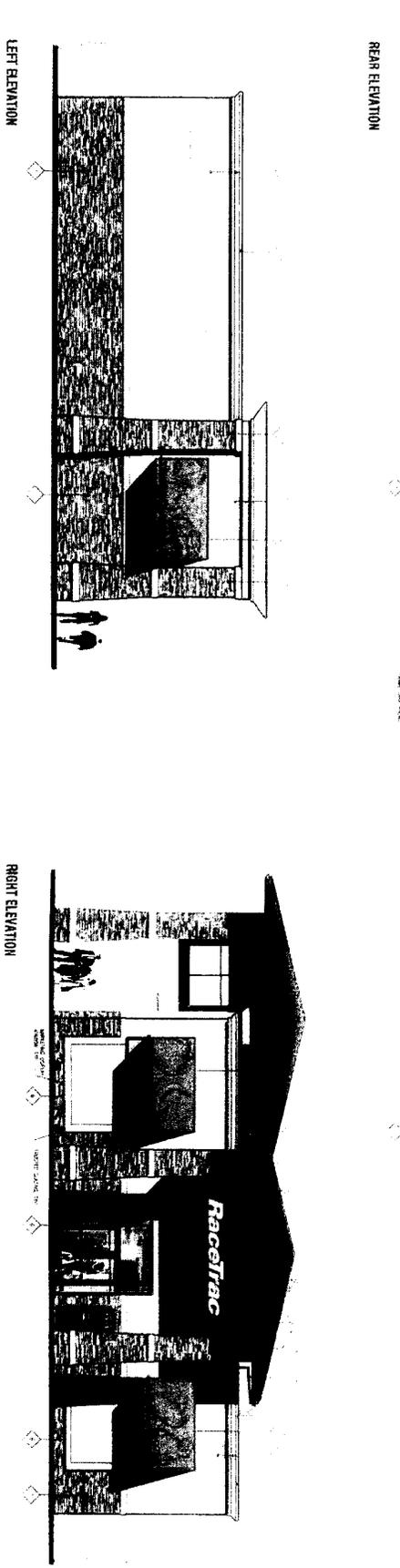
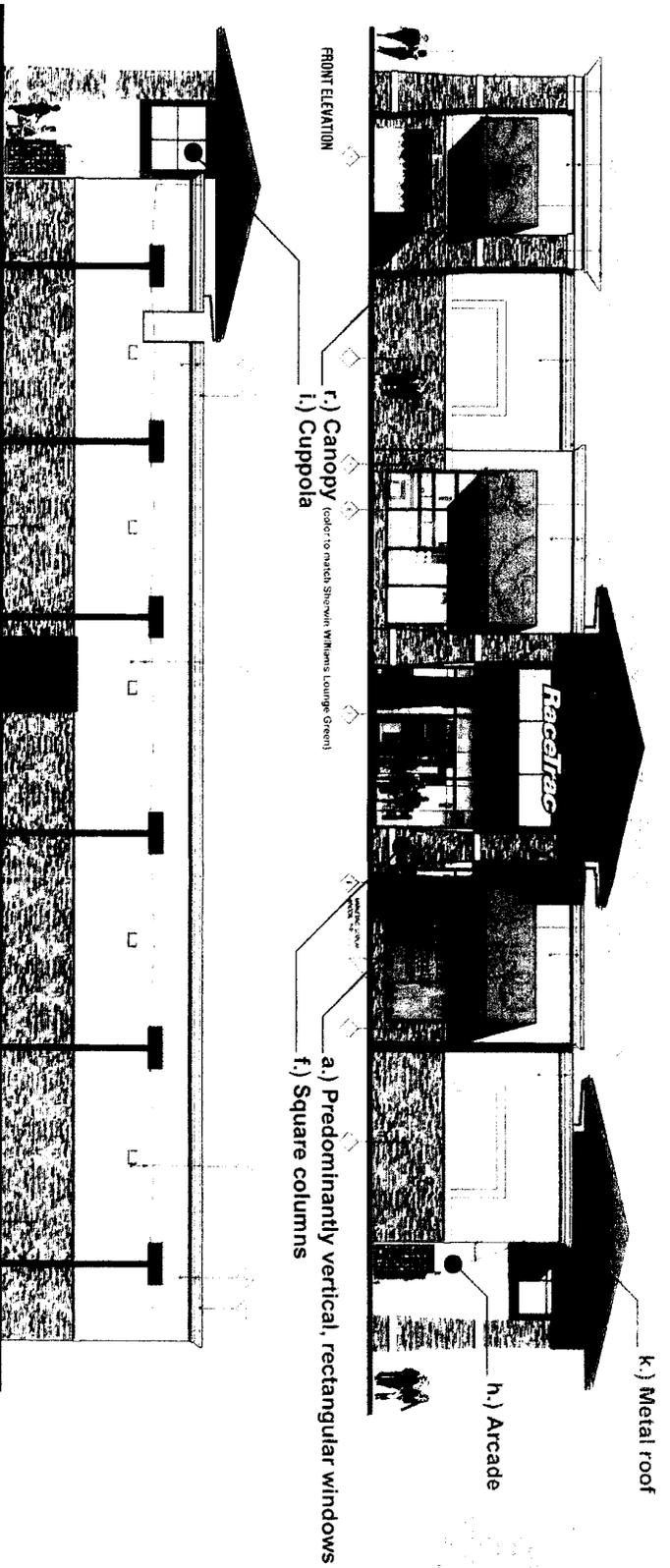
PROJECT INFORMATION
 PROJECT NAME
 NAME 1
 NAME 2
 NAME 3
 CITY
 STATE
 ADDRESS LINE 1
 ADDRESS LINE 2
 PROJECT NUMBER
 XXXX

PROJECT INFORMATION
 PROJECT NUMBER
 PROJECT NAME
 SHEET TITLE
 FLOOR DIMENSION
 PLAN

PROJECT INFORMATION
 PROJECT NUMBER
 PROJECT NAME
 SHEET TITLE
 FLOOR DIMENSION
 PLAN

PROJECT NUMBER
A120

11A
5-29-12



1225 W. UNIVERSITY BLVD.
 SUITE 100
 PORT ST. LUCIE, FL 34952
 TEL: 888-888-8888

PORT ST. LUCIE, FLORIDA | ELEVATIONS
 SHEET - 11A