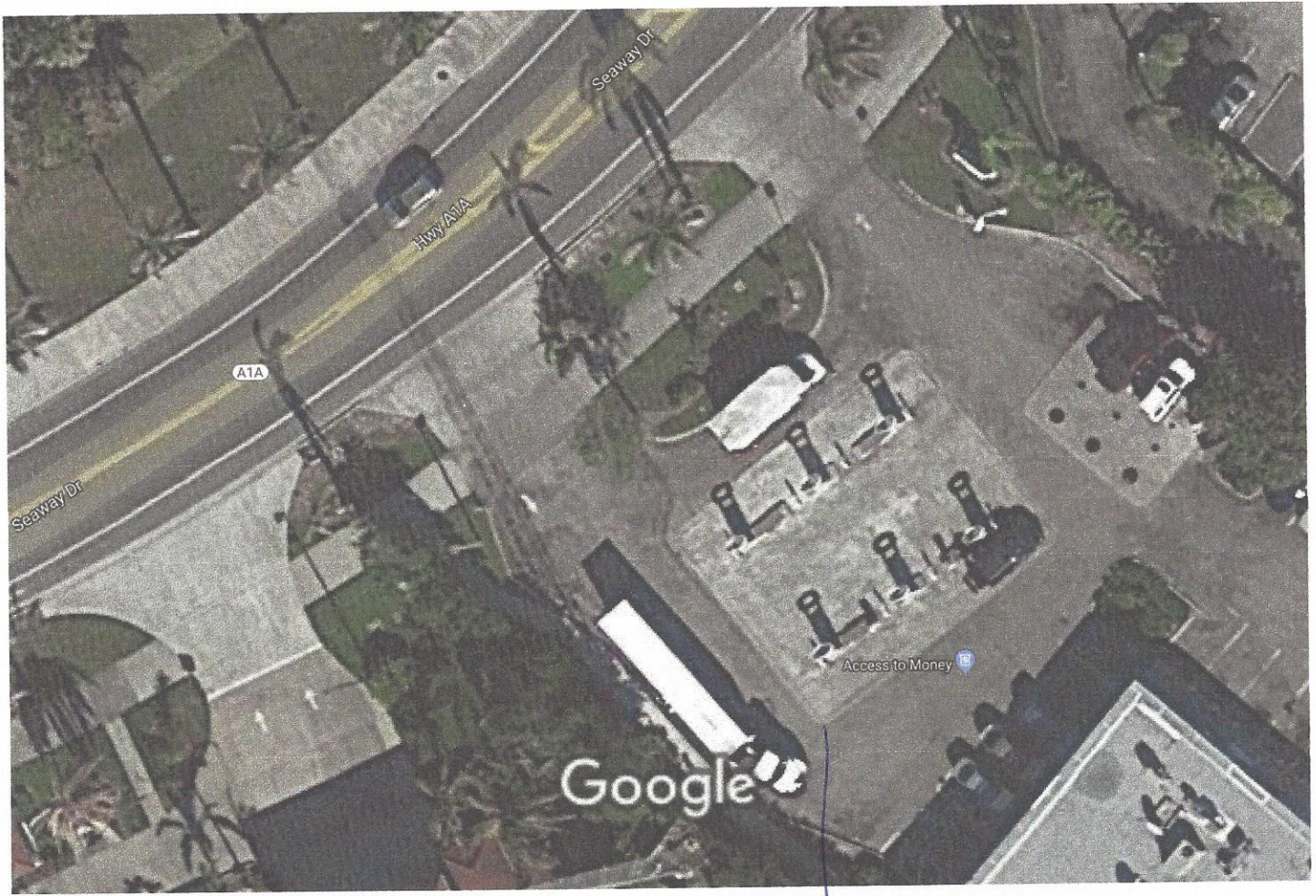


# Google Maps 975 Seaway Dr

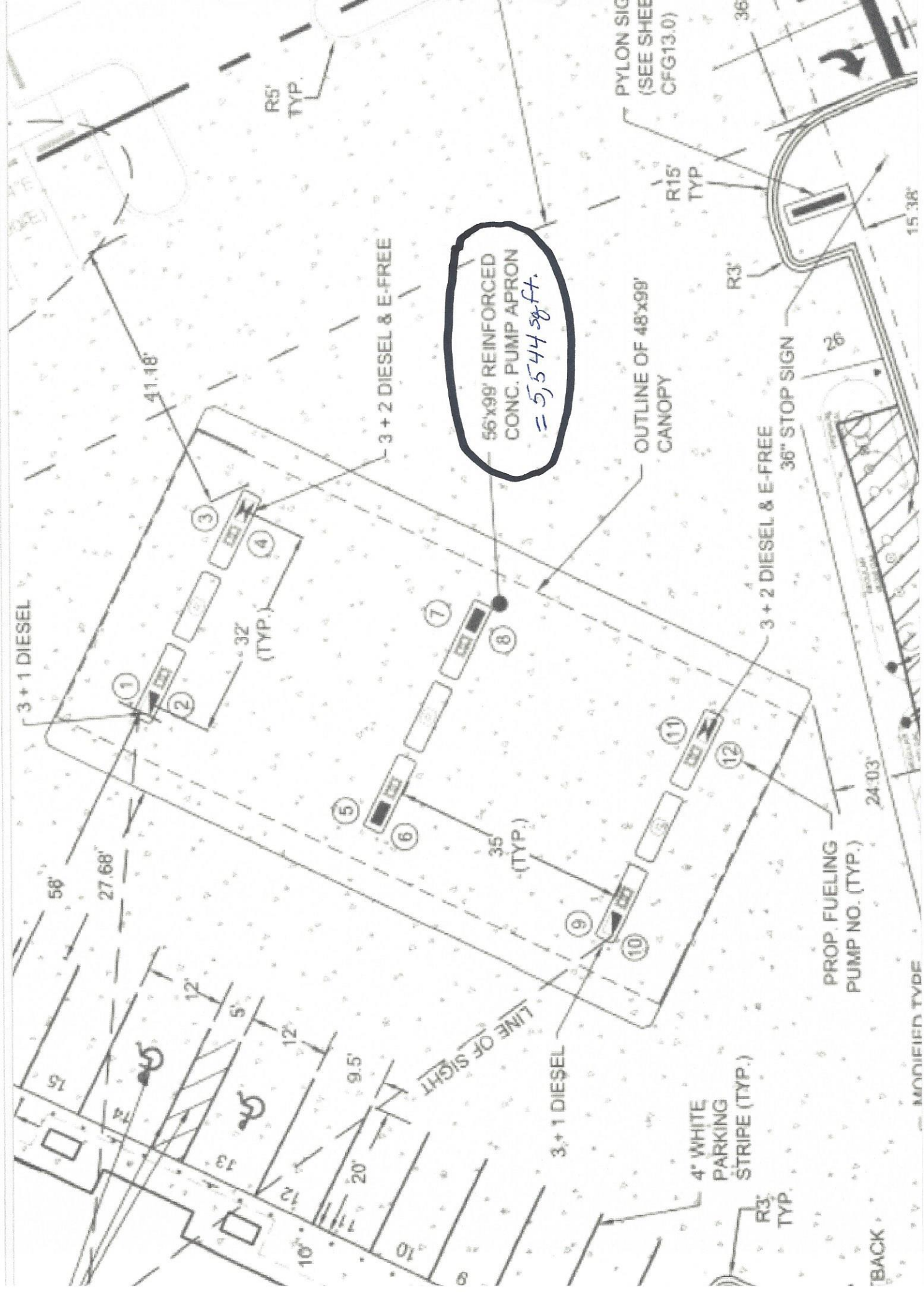


Map data ©2019

20 ft

Concrete pump apron  
 $49' \times 64' = 3,136 \text{ sq ft.}$

file:///F:/Cumberland%20Farms/Cumberland%20Farms%20Layout%20Plans%20-%202019.pdf



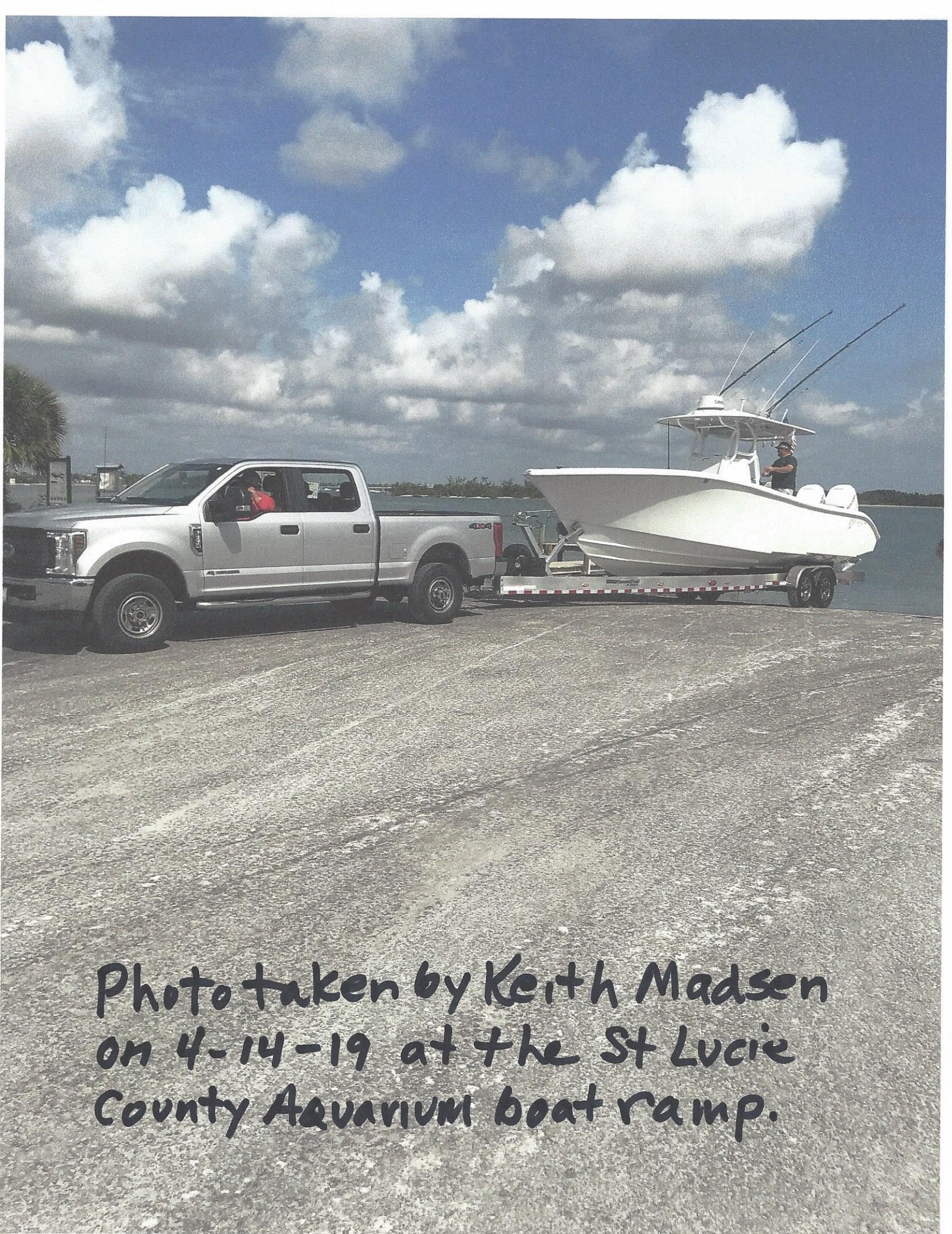
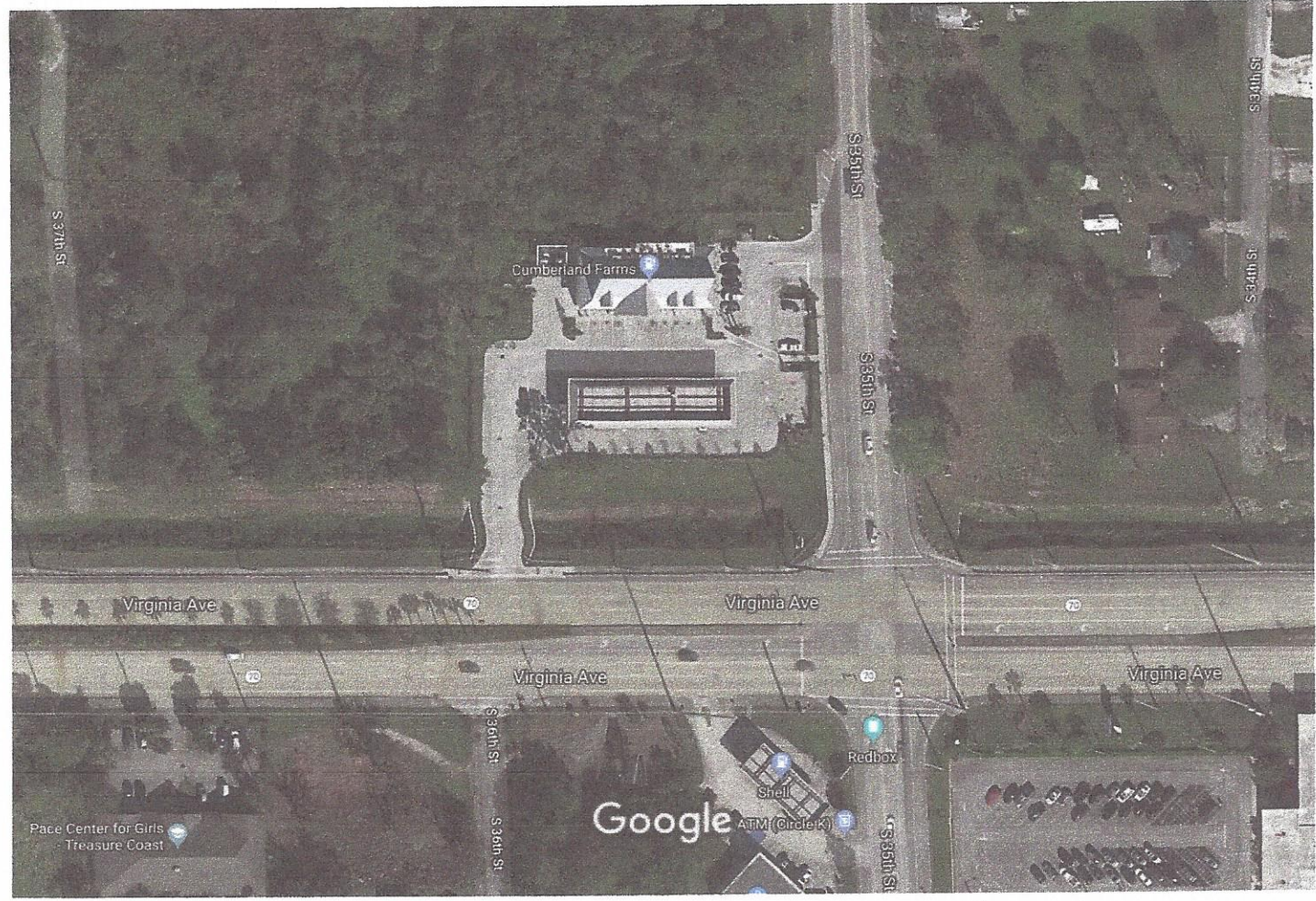




Photo taken by Keith Madsen  
on 4-14-19 at the St Lucie  
County Aquarium boat ramp.





Imagery ©2019 DigitalGlobe, U.S. Geological Survey 100 ft

 2009 S 35th St, Fort Pierce, FL 34981

CJGQ+GH Fort Pierce, Florida

 [locations.cumberlandfarms.com](https://locations.cumberlandfarms.com)

 (772) 466-6450

 Open now: Open 24 hours

Popular times Saturdays ▾

# Google Maps FL-70



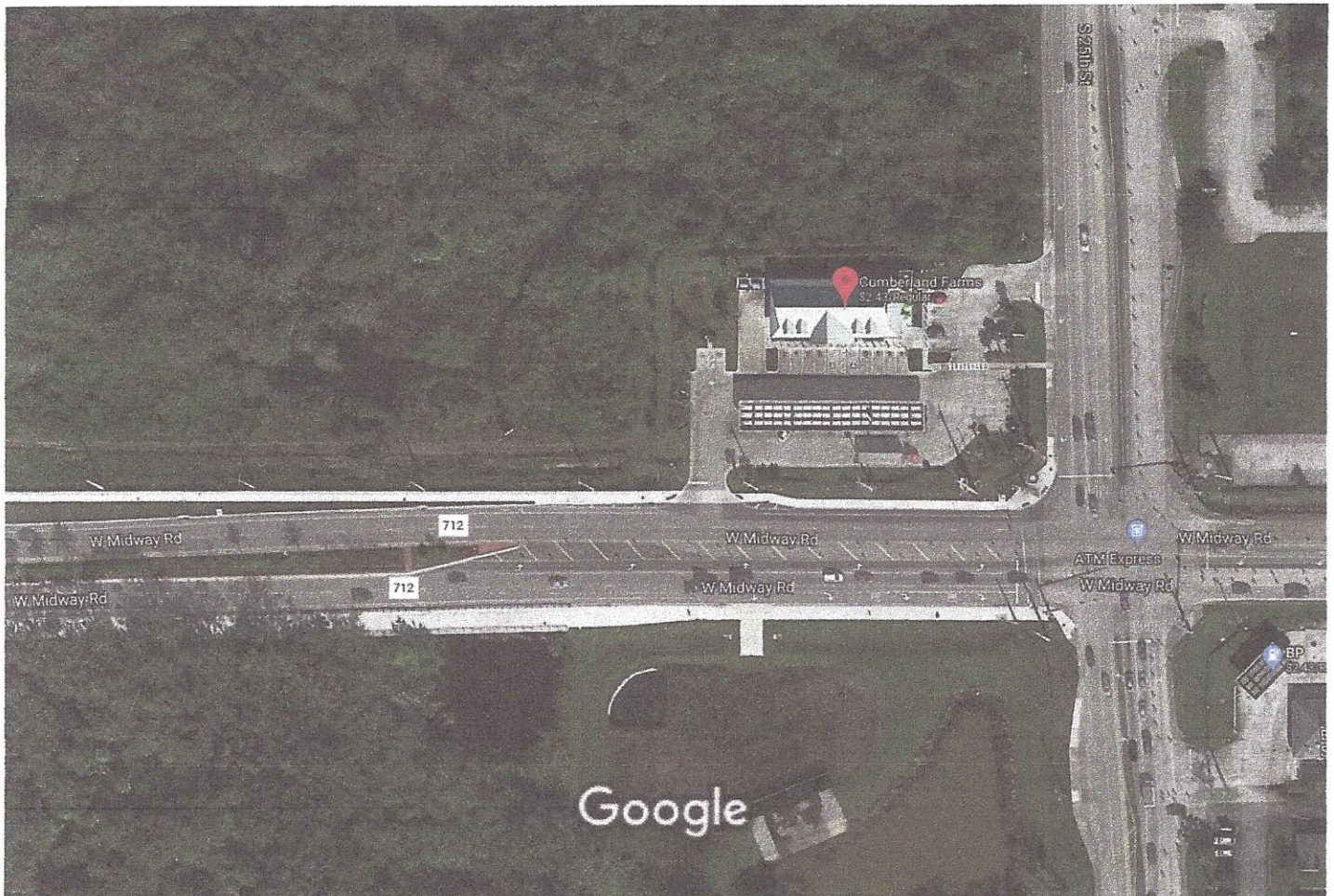
Image capture: May 2019 © 2019 Google

Fort Pierce, Florida

Google

Street View - May 2019

# Google Maps Cumberland Farms



Imagery ©2019 Maxar Technologies, U.S. Geological Survey 100 ft



2500 W Midway Rd, Fort Pierce, FL 34981

9JFX+WH Fort Pierce, Florida



locations.cumberlandfarms.com



(772) 464-8909



Open now: Open 24 hours



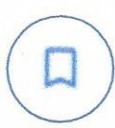
# Cumberland Farms

3.7 ★★☆☆ (14) · \$

Gas station



Directions



Save



Nearby



Send to your phone



Share

Diesel

-

Regular

**\$2.43**

Midgrade

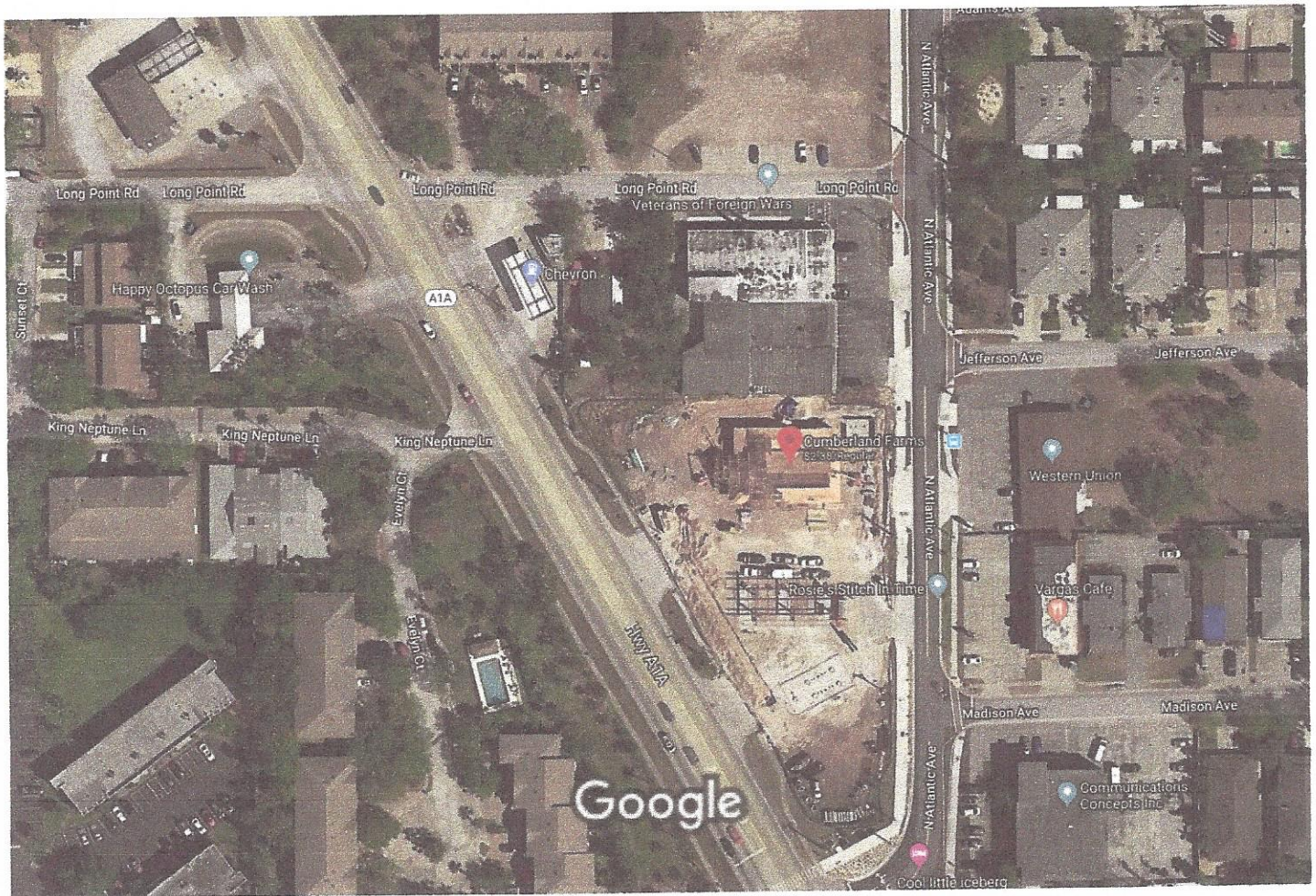
-

Premium

-

Convenience store chain with packaged snacks, cold drinks, prepared foods & more (most sell fuel).

# Google Maps Cumberland Farms



Imagery ©2019 Maxar Technologies, U.S. Geological Survey, Map data ©2019 Google

50 ft

# Google Maps 7949 Astronaut Blvd

# Google Maps 7949 Astronaut Blvd



Image capture: Dec 2018 © 2019 Google

Cape Canaveral, Florida

Google

Street View - Dec 2018

# Google Maps 7949 Astronaut Blvd



Image capture: Dec 2018 © 2019 Google

Cape Canaveral, Florida

Google

Street View - Dec 2018

Google Maps 8040 N Atlantic Ave



Image capture: Dec 2018 © 2019 Google

Cape Canaveral, Florida

Google

Street View - Dec 2018

From: Mohsen Salehi msalehi@caltransgroup.com  
Subject: Brief Qualifications  
Date: Aug 6, 2019 at 5:50:51 PM  
To: madsenk1@verizon.net

---

**Mohsen Salehi's Qualifications:**

The career of Mohen Salehi, AICP, ITE(F) spans over 30 years of public- and private-sector experience with an extensive track record in traffic and parking studies, transportation/ infrastructure planning and urban design, low impact development and redevelopment projects, complete streets/ context sensitive design solutions, traffic calming/ roadway safety audits/ development review services/ and expert testimony for public agencies and community organizations. Mohsen has a Master of City and Regional Planning (MCRP) from Clemson University with a concentration in Urban Design and Infrastructure, and a Bachelor of Architectural Engineering from Southern Tech (formerly a division of Georgia Tech). He is a member of the American Institute of Certified Planners (AICP) and a fellow of the Institute of Transportation Engineers (ITE).



Food Mobile App/SmartPay Working Here Comp

Find Us

Our Stores



Check out the future of Cumberland Farms, coming soon to a neighborhood near you. We have over 300 of these incredible new locations up and running, but many more are on the way. We won't stop until every one of our nearly 600 stores is converted!



**Keith J. Madsen**  
**38 Harbour Isle Drive East Unit 103**  
**Hutchinson Island, FL 34949-2789**

August 5, 2019

Peter Sweeney, Esq.  
City Attorney  
City of Fort Pierce  
100 N. U. S. Highway 1  
Fort Pierce, FL 34950

SUBJECT: REQUEST FOR INTERVENOR STATUS IN CASE # 19-4390002 FOR A MAJOR PD AMENDMENT FOR A PROPERTY LOCATED AT 835 SEAWAY DRIVE

Dear Mr. Sweeney:

**Purpose of this letter.** I am requesting intervenor status in the above entitled case, which is scheduled for a public hearing before the City Commission of the City of Fort Pierce, Florida, at their meetings on Monday, August 19, 2019 and Tuesday, September 3, 2019 which begin at 6:30 PM. This is a quasi-judicial proceeding.

**Party requesting intervenor status.** On behalf of myself, Keith J. Madsen, at the address above, I request recognition of intervenor status in opposition to case number 19-4390002, Harbour Isle Development Commercial, LLC, property owner and Cumberland Farms, and representative Jeffery Lucas of Atkins, NA.

**Criteria for granting intervenor status.** A search of Municode's online version of the Fort Pierce Code does not identify rules for granting intervenor status, but we understand that the City's **Resolution 17.R16** articulates the following "process for establishing quasi-judicial procedures".

V. Party Intervenors. The City attorney may allow a person to intervene as a Party intervenor if they meet the following requirements:

- A. The person must have an interest in the application, which is different than the public at large.
- B. At least three days prior to the hearing, the person shall submit a written request to intervene Including: a detailed outline of his or her interest in the application and argument in favor or against it, copies of all exhibits which will be presented at the hearing and the names and addresses of all witnesses who will be called to testify on their behalf (including resumes for any witness the person intends to qualify as an expert.)

**Criterion Number 1, an interest different from the public at large.** The residence of Keith J. Madsen is among the dwellings nearest to the site of the proposed service station. *I respectfully request that I be recognized as an intervenor in case #19-439002 on grounds that my interest is greater than that of the public at large.*

**Criterion Number 2, a request submitted at least three days prior to the hearing with specified contents.** The request for intervenor status has been forwarded via email to the City Attorney and the Community Development Director at least three days prior to the first scheduled hearing on August 19, 2019. Resolution 17-R16 also requires that we provide the following materials:

- “a detailed outline of his or her interest in the application and argument in favor or against it.” We have explained our interest in our response to Criterion Number 1. Our argument against the application will be that it is inconsistent with the Fort Pierce Comprehensive Plan, that it will be disruptive to the immediate neighborhood due to its 24-hour operations, light pollution, noise, and antisocial behavior. The largest factor affecting the entire island will be traffic congestion as well as hazards for vehicles, pedestrians and bicyclists.
- “copies of all exhibits which will be presented at the hearing.” All exhibits, expert reports, or slide presentations will be submitted to the City Clerk’s office no later than three days prior to the hearing.
- “names and addresses of all witnesses who will be called to testify on their behalf (including resumes for any witness the person intends to qualify as an expert)”. In addition to myself, Keith J. Madsen, address listed above, also testifying will be expert witness Mohsen Salehi (ITE(F) of Salehi Consulting Service of Ft. Myers, Florida; resume is attached.

*I respectfully request that Keith J. Madsen and Mohsen Salehi (ITE)(F) be recognized as intervenors in case # 19-4390002 on grounds that we have applied in a timely manner for intervenor status.*

If you have any questions concerning this request please contact me at 443-618-0621 or email [madsenk1@verizon.net](mailto:madsenk1@verizon.net). and/or Mohsen Salehi at 239-994-1320 or email [msalehi@caltrangroup.com](mailto:msalehi@caltrangroup.com).

Sincerely,



Keith J. Madsen

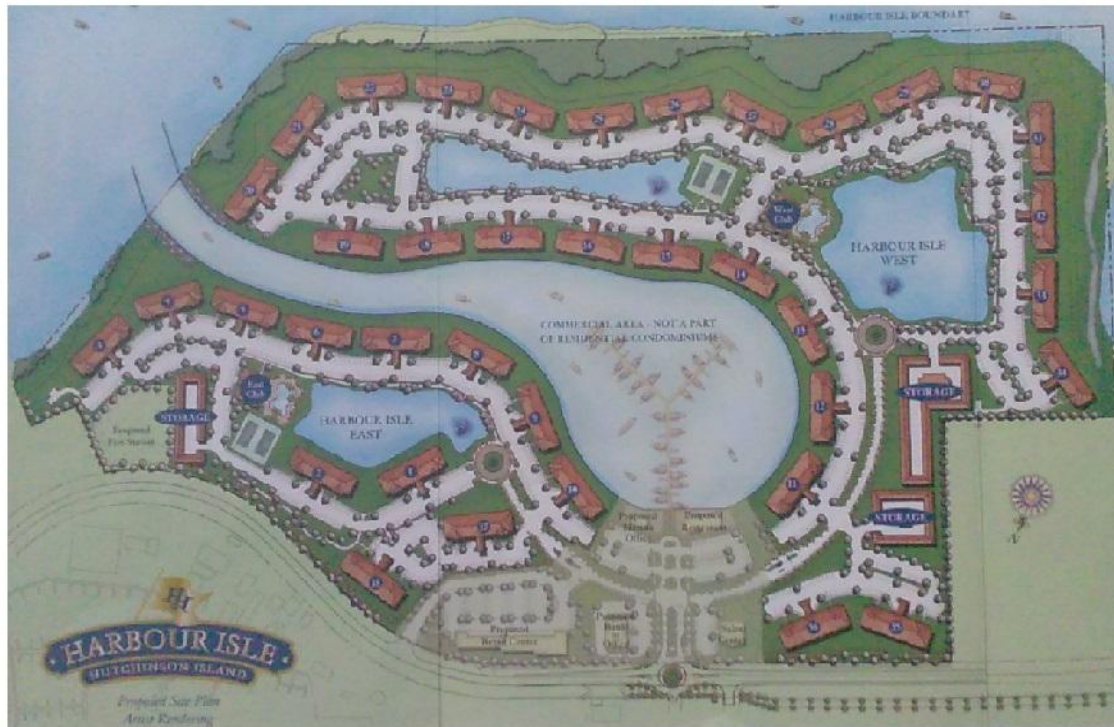
From: Mohsen Salehi msalehi@caltrangroup.com  
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City of Ft Pierce  
Case#19-439002 Cumberland Farms  
Application For Major Amendment To PD At 835 Seaway Drive



Mohsen Salehi, AICP, ITE(F)  
On Behalf of Harbour Isle Community  
of South Hutchinson Island  
Preservation (SHIP), Inc.  
Ft Pierce City Commission  
August 19, 2019



# TRAFFIC IMPLICATIONS

## Of Proposed Cumberland Farms Relocation To 835 Seaway Dr (A1A)

Existing CF:  
975 Seaway Dr  
4,000 sq ft  
0.74 AC  
Zoning: C5/TC  
FLU: GC



Proposed CF:  
835 Seaway Dr  
5,625 sq ft / 12 FP  
1.5 AC  
Zoning: PD  
FLU: HIMU



# Seaway Dr (A1A) Walk Score

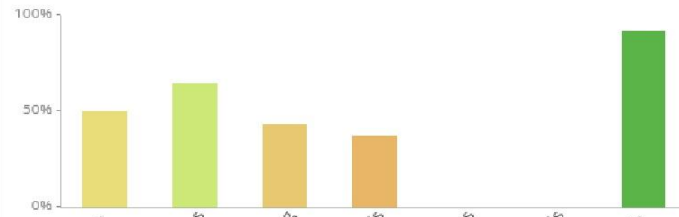
## Scores for Seaway Drive

Walk Score **36** Bike Score **54**

Walk Score Transit Score Bike Score

Score Details What is Walk Score

The Walk Score for Seaway Drive is based on the following categories.



# Seaway Dr (A1A) Bike Score



## Scores for Seaway Drive

Walk Score  
**36**

Bike Score  
**54**

Walk Score

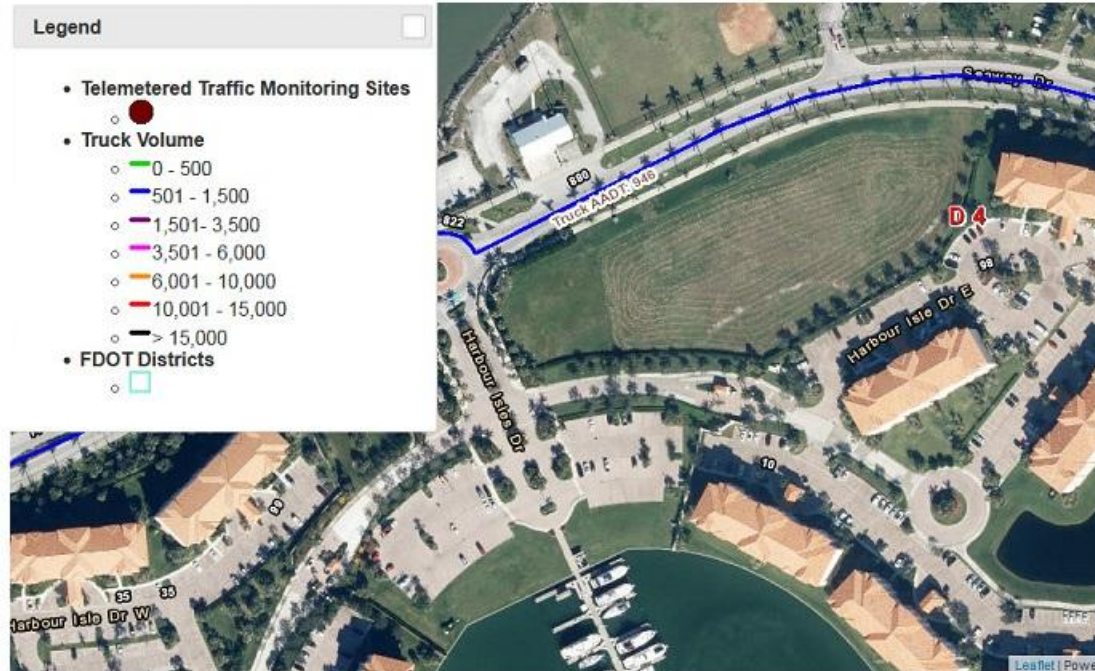
Transit Score

Bike Score

Bike Score measures whether an area is good for biking based on bike lanes and trails, hills, road connectivity, and destinations.

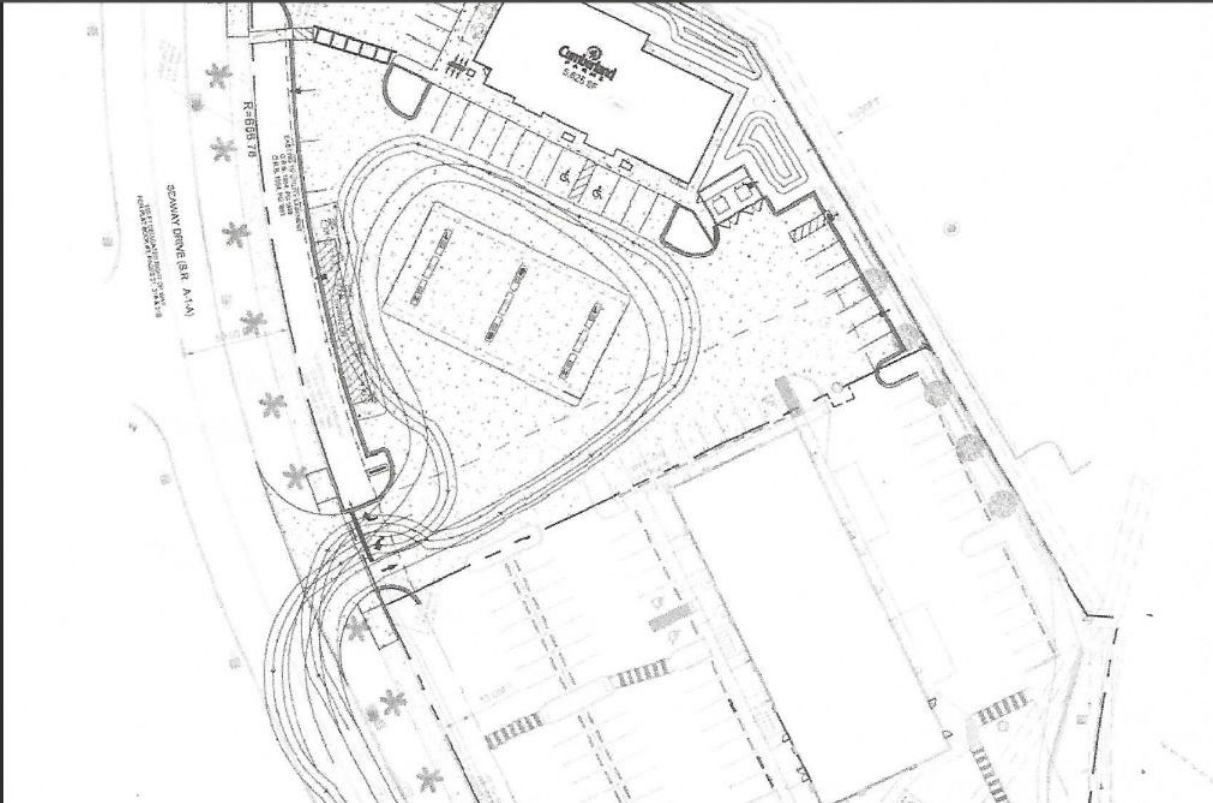
90-100	<b>Biker's Paradise</b> Daily errands can be accomplished on a bike
70-89	<b>Very Bikeable</b> Biking is convenient for most trips
50-69	<b>Bikeable</b> Some bike infrastructure
0-49	<b>Somewhat Bikeable</b> Minimal bike infrastructure

# Truck Traffic



- 1) 2018 Truck Traffic: 946 AADT or 5.7% of Seaway Dr (A1A) Traffic Total of 16,600
- 2) Truck Impacts on Coastal Traffic w/ their Limited Maneuverability, & Larger Radii, on A1A as 2Lane Undivided Rd Pose Safety & Quality of Life Concerns

# Turning Movements Issues



- 1) RI/LO Turning Movements (Swept Path) Shown For a Fuel Tanker Truck (Typ. 39.03'X8.2'X11.15') Fail to Address Concerns About RVs & Boat-Towing Trucks RIRO or LIRO
- 2) Trucks Swept Path Encroachment onto Bike Lanes Constitute a Safety Concern

# Driveways Issues

1) Movements to & from A1A Single Lane Approaches, - T Intersection Driveways, Particularly Full Access, RIRO/LILO, Constitute 9 Conflict Points Through Merging (3) , Diverging (3), and Crossing(3) Movements

2) Conflict Points Compounded by Pedestrian Crossing & Bicycle Traffic Particularly if Riding Against Traffic Flow

3) A1A as a Two Lane Undivided Roadway, without a Median or Right Turn Lane is Particularly Vulnerable to Unsafe Short Cuts in the Vicinity of the Proposed CF.

4) FDOT Approval of CF Request for “Driveway 1: Right in only Driveway on the South side of SR A1A/Seaway Drive, Located Approximately 200 feet East of Harbour Isle Drive” inconsistent with the Department’s Rule 14-97, Table 2 Establishing a Minimum of 245 Connection Spacing for Access Class 06 with speed =< 45mph

## Rule 14-97: Table 2

Access Class	Medians	Connection Spacing (FEET)		Median Opening Spacing (FEET)		Signal Spacing (FEET)
		> 45 mph	≤45mph	Directional	Full	
2	Restrictive with Service Roads	1320	660	1320	2640	2640
3	Restrictive	660	440	1320	2640	2640
4	Non-Restrictive	660	440			2640
5	Restrictive	440	245	660	*2640/ 1320	*2640/ 1320
6	Non-Restrictive	440	245			1320
7	Both		125	330	660	1320

\*2640 feet for > 45 mph; 1320 feet for < 45 mph

"Restrictive" = physically prevent vehicle crossing

"Non-Restrictive" = allow turns across at any point

# CF Traffic Area of Influence



1) Per LDC Sec 22-217 (f)(b)(2) Table A, Even as “Minimal Scale” 1.0 Mile Radius Links & Intersections Need to be Analyzed


# MEP CF's Traffic Study Irregularities & Inconsistencies

- 1) Background Traffic AADT By Averaging FDOT CS#940115 (Seaway Dr)& #945016 (Ocean Dr) To Reduce 5YR Growth Rate (4.28%,1.55% Respectively) to 3.4%(p.6)
- 2) Assertion of Approval of 24,268sqft Development Parameters in MEP's TIS (p.2) as Opposed to Shoppe's 11,050sqft (Per Ord. 19-003)
- 3) Trip Generation Calculations for Medical Office (Exhibit7) w/o Entering them into Links LOS
- 4) Limiting Intersections Analyses to RI(W), Full Access, RIRO-LILO(M), & RO(E) Driveways & Excluding Harbour Isle Roundabout & A1A / Bayshore Intersection
- 5) 2018 St Lucie TPO LOS Report for PM Pk Hr Pk Dir Indicate Background Traffic LOS D for A1A (Binney Dr to Causeway Park ( $V/C = 777/790 = 0.984$  w/ 14,800 AADT 2017)

PM Pk Hr Pk Dir for 2018 Data Results in LOS F ( $V/C = 944/790 = 1.19$  w/16,600 AADT 2018) inconsistent w/ LDC Sec. 22-218 (e)(1) Table B Requirement for Minor Arterials LOS D

# PRE-APPLICATION VS. METHODOLOGY

1 of 23 Automatic Zoom



**St. Lucie** Transportation  
Planning  
Organization

Coco Vista Centre  
466 SW Port St. Lucie Blvd, Suite 111  
Port St. Lucie, Florida 34953  
772-462-1593 www.stlucietpo.org

## **STANDARDIZED TRAFFIC IMPACT STUDIES (TIS) METHODOLOGY AND PROCEDURES**

- **ST. LUCIE COUNTY**
- **CITY OF FORT PIERCE**
- **CITY OF PORT ST. LUCIE**

Considering Availability of St. Lucie County TPO Standardized TIS, Methodology & Procedure (May 2014) City Is Urged to Require Applicants to Follow to Show Full Impact of Proposed Developments.

# Inconsistency w/ Comp Plan

## Comp Plan Future Land Use Element

1.4 Objective: Coordinate the transportation and land use planning activities of Fort Pierce to ensure that the roadway level of service(LOS) standards established within the Comprehensive Plan are maintained

.1.4.1 Policy: The City shall evaluate land use with transportation impacts for all land use and development applications which will direct planned improvements in the Schedule of Capital Improvements and the Capital Improvements Element

1.4.2 Policy: The City will require traffic impact studies for all future land use changes, rezonings, and development applications. Applicants will be required to demonstrate the traffic impacts according to professionally accepted traffic engineering practices.

With A1A Background Traffic at F, Denying the Application based on Applicant's TIS Downplaying Full Impact of Development, is Ground for Denying CF Application, Consistent w/ Objective 1.4 & Policy 1.41. 1.4.2.

# Inconsistency w/ Comp Plan

## Comp Plan Transportation Element

2.1. Objective: The City of Fort Pierce is designated as a transportation Concurrency Exception area pursuant to Section 163.3180, Florida Statutes (F.S.). The City is exempt from state-mandated transportation concurrency. The City will continue to administer a roadway level of service (LOS) based Concurrency Management system to review development impacts. Land use and Transportation strategies to support and fund mobility shall be implemented to comply with 163.3180(5)(b)4, F.S.

2.1.1 Policy: Development impacts will continue to be mitigated through the administration of a roadway LOS based concurrency management system that requires transportation facilities needed to serve new development to be in place or under construction within three years after the City approves a building permit or its functional equivalent.

In the Absence of Any Planned Capacity Improvements for A1A, City Must Uphold Adopted LOS to Safeguard Public Safety & Mobility Consistent with Objective 2.1. & Policy 2.1.1. and Deny CF Application

# Inconsistency w/ LDC

LDC Sec. 22-218 (b)(2).

(2) *De minimis impacts*. A development which meets the following *de minimis impact* thresholds is also exempt from the requirements of this article, but only to the extent stated in an applicable certification of exemption:

a.

An *impact* that would not affect more than one per cent of the maximum volume at the adopted level of service of the affected transportation facility as determined by the director of planning.

b.

An *impact* for which the sum of existing roadway volumes and the projected volumes from approved projects on a transportation facility does not exceed one hundred ten (110) per cent of the maximum volume at the adopted level of service of the affected transportation facility.

CF Application Not eligible for Exemptions Since w/ Background Traffic at LOS F w/ V/C Ratio of 1.19 & Exceeding both (a.) & (b.) thresholds, therefore City is Strongly Urged to Deny CF Application.

## Questions?

Sometimes in the city's rush to be  
business friendly,  
(Mayor)“Hudson Said . We don't  
follow all of our rules.”

July 18, 2016

The Commission Is Urged to Stay  
Consistent w/Comp Plan & LDC &  
Deny CF Application For Major  
Amendment To PD at 835 Seaway





Thank You

Mohsen Salehi, AICP, ITE(FL)  
Salehi Consulting Services  
Ft. Myers, Florida

