

ACR Acquisition, LLC Wilson Groves

Large Scale Comprehensive Plan Text Amendment Application
(P21-128)

City Council Transmittal Hearing
August 7, 2023

Revised Presentation



Applicant and Owners

Dan Sorrow, Coteleur and Hearing agent for the property owners

ACR Acquisition, LLC

Florida Power and Light Company



Applicant's Request

- An application to amend the text of the Comprehensive Plan by revising Figure 1-6 of the Future Land Use Element.
 - Figure 1-6 is the conceptual land use plan for the Wilson Groves NCD land use district.
 - Policy 1.2.1.3 requires a conceptual master plan to be developed to illustrate how the seven land use sub-categories (Residential, Neighborhood/Village Commercial Areas, Town Center, Resort, Employment Center, Regional Business Center and Mixed-Use) in an NCD District are allocated, where they are located, and how they would function in relation to each other.



Exhibit "A" Existing Figure 1-6

Figure 1-6

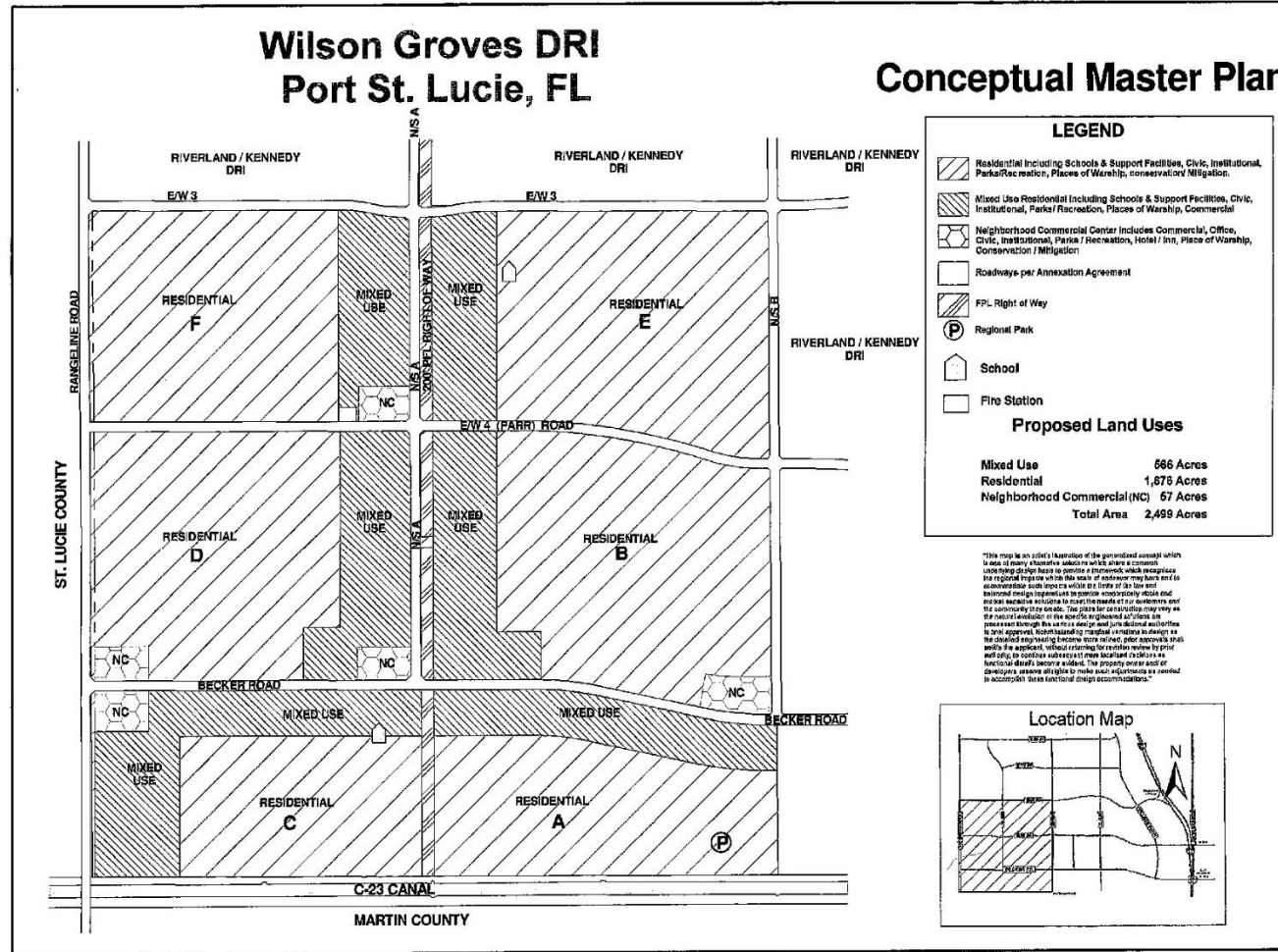


Exhibit "A" Proposed Figure 1-6

FIGURE 1-6

WILSON GROVE Port St. Lucie, Florida



PROPOSED LAND USES

RESIDENTIAL	1876 AC
*(INCLUDES ROW/CREAGE)	96 AC
*(INCLUDES FPL ACREAGE)	30 AC
NEIGHBORHOOD/ VILLAGE COMMERCIAL	57 AC
MIXED-USE	566 AC
*(INCLUDES FPL ACREAGE)	15 AC
TOTAL AREA	2,499 AC

*PROPOSED ACREAGES OF SUBDISTRICTS HAVE BEEN ROUNDED TO THE NEAREST +/- 1 ACRE.

*LOCATION AND CONFIGURATION OF ALL DEVELOPMENT PARCELS INCLUDING ACCESS LOCATIONS, LAKES, OPEN SPACES, RESIDENTIAL AND NON-RESIDENTIAL USES WILL BE FULLY DELINEATED DURING THE ZONING AND OR PLATTING PROCESS.

THIS MAP IS AN ARTIST'S ILLUSTRATION OF THE GENERALIZED CONCEPT WHICH IS ONE OF MANY ALTERNATIVE SOLUTIONS WHICH SHARE A COMMON UNDERLYING DESIGN BASIS TO PROVIDE A FRAMEWORK WHICH RECOGNIZES THE REGIONAL IMPACTS WHICH THIS SCALE OF DEVELOPMENT MAY HAVE AND TO ACCOMMODATE SUCH IMPACTS WITHIN THE LIMITS OF THE LAW AND BALANCED DESIGN IMPERATIVES TO PROVIDE ECONOMICALLY VIABLE AND MARKET SENSITIVE SOLUTIONS TO MEET THE NEEDS OF OUR CUSTOMERS AND THE COMMUNITY THEY CREATE. THE PLANS FOR CONSTRUCTION MAY VARY AS THE NATURAL EVOLUTION OF THE SPECIFIC ENGINEERED SOLUTIONS ARE PROCESSED THROUGH THE VARIOUS DESIGN AND JURISDICTIONAL AUTHORITIES TO FINAL APPROVAL. NOTWITHSTANDING MINOR VARIATIONS IN DESIGN AS THE DETAILED ENGINEERING BECOME MORE REFINED, PRIOR APPROVALS SHALL ENTITLED THE APPLICANT WITHOUT RETURNING FOR REVISION REVIEW BY PRIOR AUTHORITY TO CONTINUE SUBSEQUENT MORE LOCALIZED DECISIONS AS FUNCTIONAL DETAILS BECOME EVIDENT. THE PROPERTY OWNER AND/OR DEVELOPER RESERVE ALL RIGHTS TO MAKE SUCH ADJUSTMENTS AS NEEDED TO ACCOMPLISH THESE FUNCTIONAL DESIGN ACCOMMODATIONS.

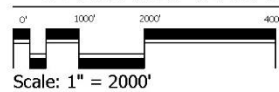
LEGEND

- RESIDENTIAL INCLUDING NEIGHBORHOODS OF HOUSING, WHICH NEIGHBORHOOD MAY ALSO CONTAIN SCHOOLS, PARKS, PLACES OF WORSHIP AND CIVIC FACILITIES ESSENTIAL TO THE DAILY LIFE OF THE RESIDENTS
- NEIGHBORHOOD / VILLAGE COMMERCIAL INCLUDING COMMERCIAL AND OFFICE USES, PERSONAL AND HOUSEHOLD SERVICE ESTABLISHMENTS, INSTITUTIONAL USES, PUBLIC FACILITIES, PARKS, PLAYGROUNDS, AND OTHER SIMILAR SERVICES
- MIXED USE INCLUDING COMMERCIAL AND OFFICE USES, HOSPITAL AND MEDICAL USES, RESTAURANTS, THEATERS, HOTELS, INSTITUTIONAL USES, PUBLIC FACILITIES (INCLUDING UTILITIES), LIGHT INDUSTRIAL, WAREHOUSES/DISTRIBUTION, RESIDENTIAL AND OTHER SIMILAR SERVICES



Landmark Architects
Professional Corporation
1914 Lakeside Lane
Suite 1
Port St. Lucie, Florida 34953
888.711.8888 / 772.344.0111
www.coitourandhearing.com
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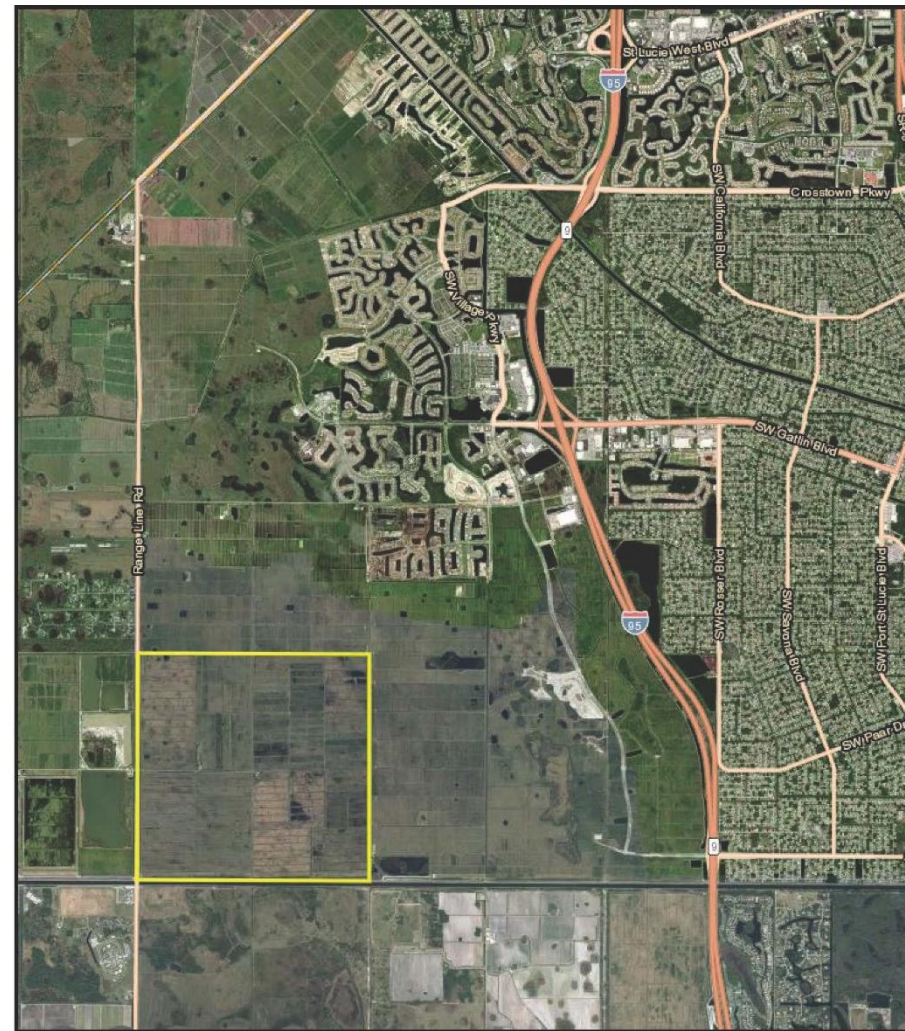
COMPREHENSIVE LAND USE PLAN WILSON GROVE



Applicant's Request- What would change if approved?

- The proposed text amendment will amend Figure 1-6 to adjust the locations for the Residential, Mixed Use, and Neighborhood/Village Commercial sub-districts. The proposed amendment also revises Figure 1-6 to label E/W 4 as consisting of a roadway and a Paseo.
 - The Paseo is a proposed multi-use path to be constructed within the 150 feet wide City owned road right-of-way for E/W 4, but the application lacks details to determine whether it will fit and how it will impact this planned roadway.
 - The City has never approved the placement of a paseo within public right-of-way.
- The amendment also includes two notes on Figure 1-6 that pertain to development. They purport to allow changes to be made to the location of development from what is currently depicted on Figure 1-6.

Aerial



Legend

Subject Site



Wilson Grove
Location Map
City of Port St. Lucie

 Cotleur &
Hearing

1934 Commerce Lane • Suite 1 • Jupiter, FL • 33458
561.747.8338 • 561.747.1377



Project Background

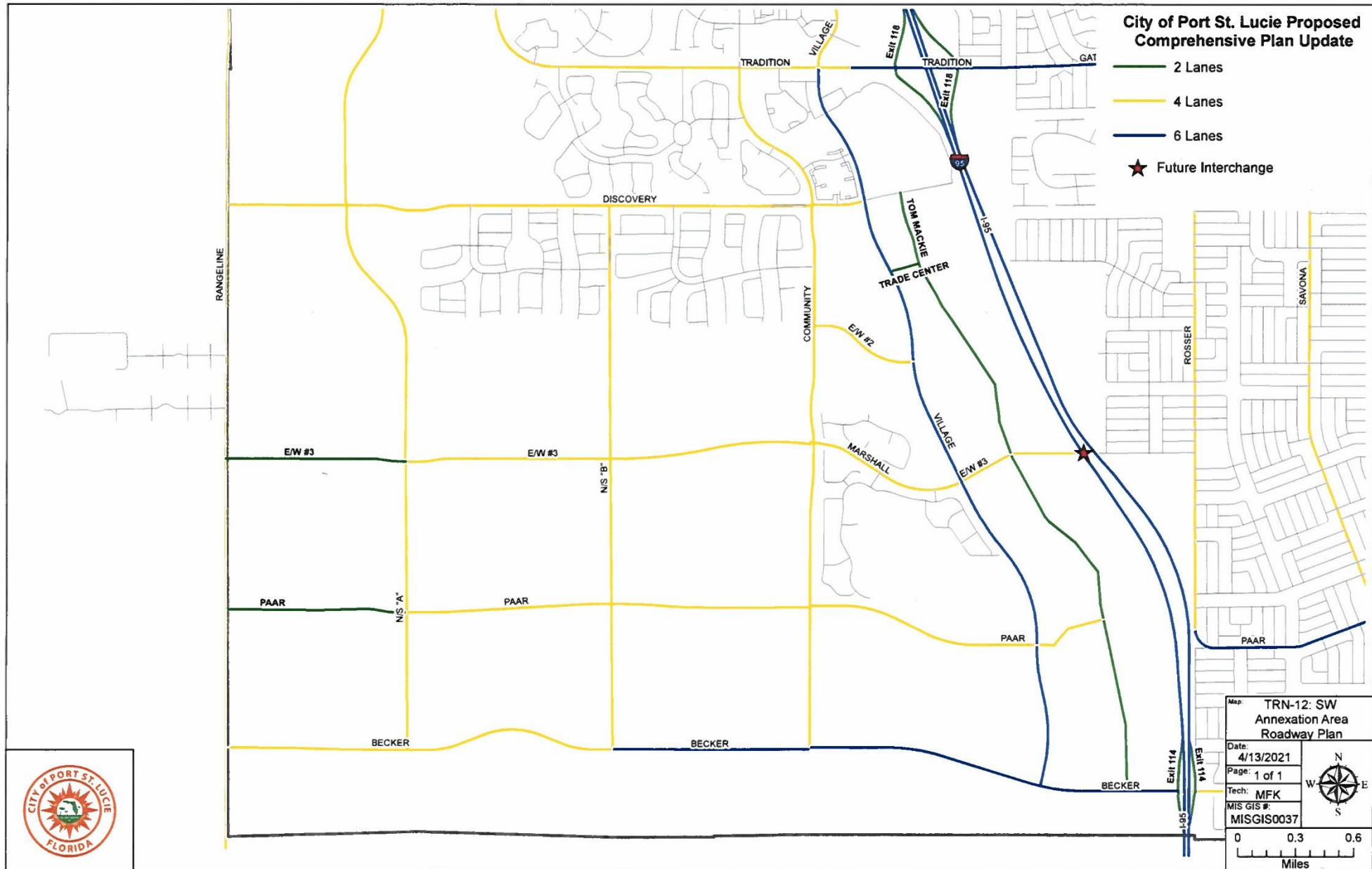
- Wilson Groves (~ 2,499 acres) is approved for: 7,700 residential units; 765,000 sq ft of retail use; 1,583,250 square feet of office use; 1,361,250 sq ft of light industrial use; 382,327 sq ft of institutional and civic; 2 K-8 school sites and 90 acres for parks. Wilson Groves is also required to dedicate a 50 acre civic site per the fourth amendment to the SW Annexation Agreement.
- The project is unique in that the only access to the site is from the south (Becker Road – under construction) and west (Rangeline Road). This DRI is obligated to install the initial two lanes of several e/w and n/s roads to serve this project and provide connectivity and a grid network in the SW annexation area. Currently this is 2,499 acres of agricultural land and undeveloped area, lacking any internal paved roadways.

Project Background

- The four SW DRIs were included in one comprehensive traffic study for the City's western annexation area known as WATS (Western Annexation Area Traffic Study).
- Each DRI is responsible for the construction and/or widening of portions of the roadway network as set forth in the development order conditions, or MPUD conditions, for each DRI to build out the grid roadway network.



Exhibit "C" SW Annexation Area Roadway Plan



Project Background

- Policy 1.2.11.2 in the Comprehensive plan identifies the three land uses for Wilson Groves as 57 acres of Neighborhood/Village Commercial, 566 acres of Mixed-Use, and 1,876 acres of Residential.
- The application doesn't change the land uses or their approved acreage, but it changes the Conceptual Land Use map to relocate the 566 acres of Mixed-Use land use to the south side of Becker Road, north of the C-23 Canal, and east and west of the FPL right of way in the area designated as Parcel D. Accordingly, the redistribution of the land uses also redistributes the traffic patterns and concentrates the highest intensity uses south of Becker Rd. Residential development will be located on Parcels A, B, C, E, and F. Neighborhood/Village Commercial land use will be primarily located at the intersection of Becker Road and N/S A.



Project Background

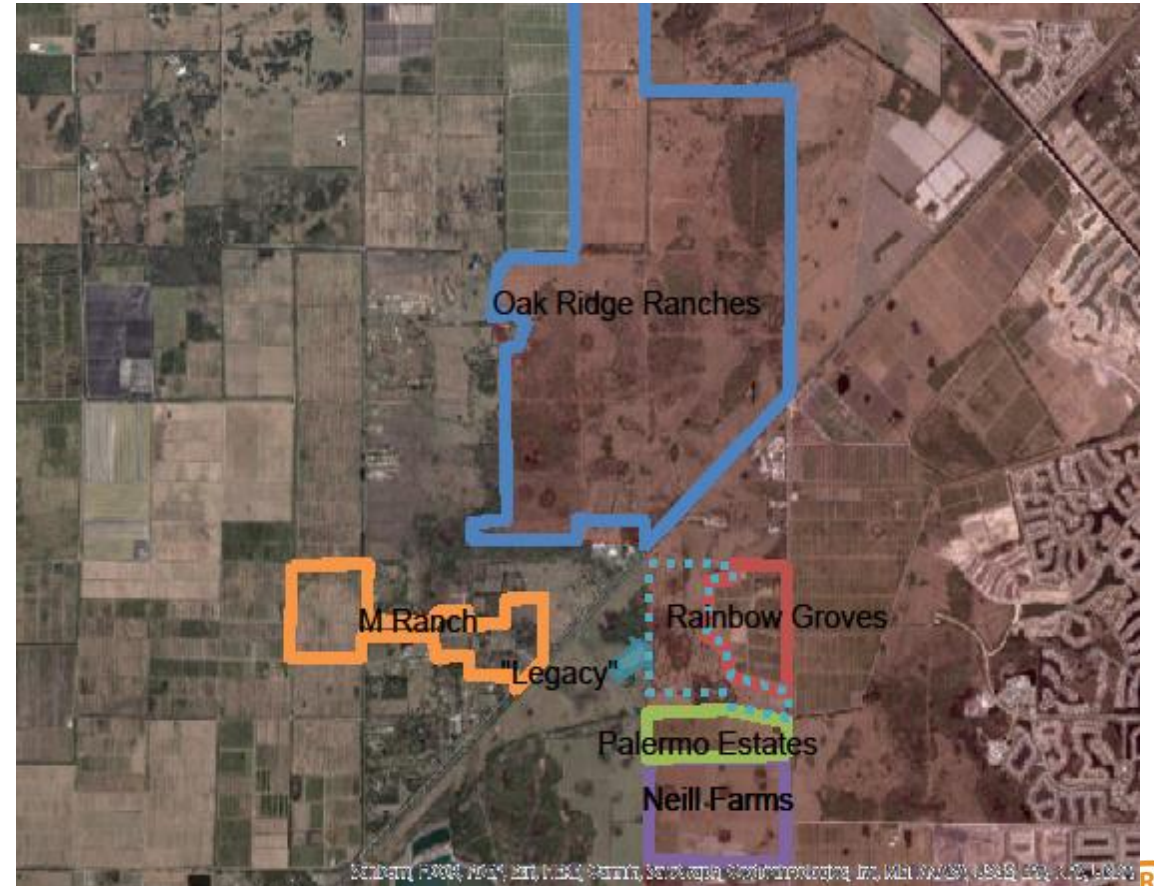
The traffic studies have indicated that the proposal as designed will impact Becker Road to the point of overburdening it. This is of great concern to staff for the following reasons:

1. The initial 2 lane roadway grid network doesn't exist in this area. The developers are responsible to build the 2-lane network as they build their projects out. The roadway construction triggers in the DRI were designed to serve the original development pattern so they may not trigger timely roadway construction of the road network based on the new proposal.
2. There currently are NO roads in this area. If Becker Road is overburdened or if there is an accident and the roadway is closed, the immediate area and the region will lose the main east west connection and public safety response will be hindered. There is a critical need to provide multiple access points so that the safety of future residents and workers of this DRI (and surrounding developments) can be assured.

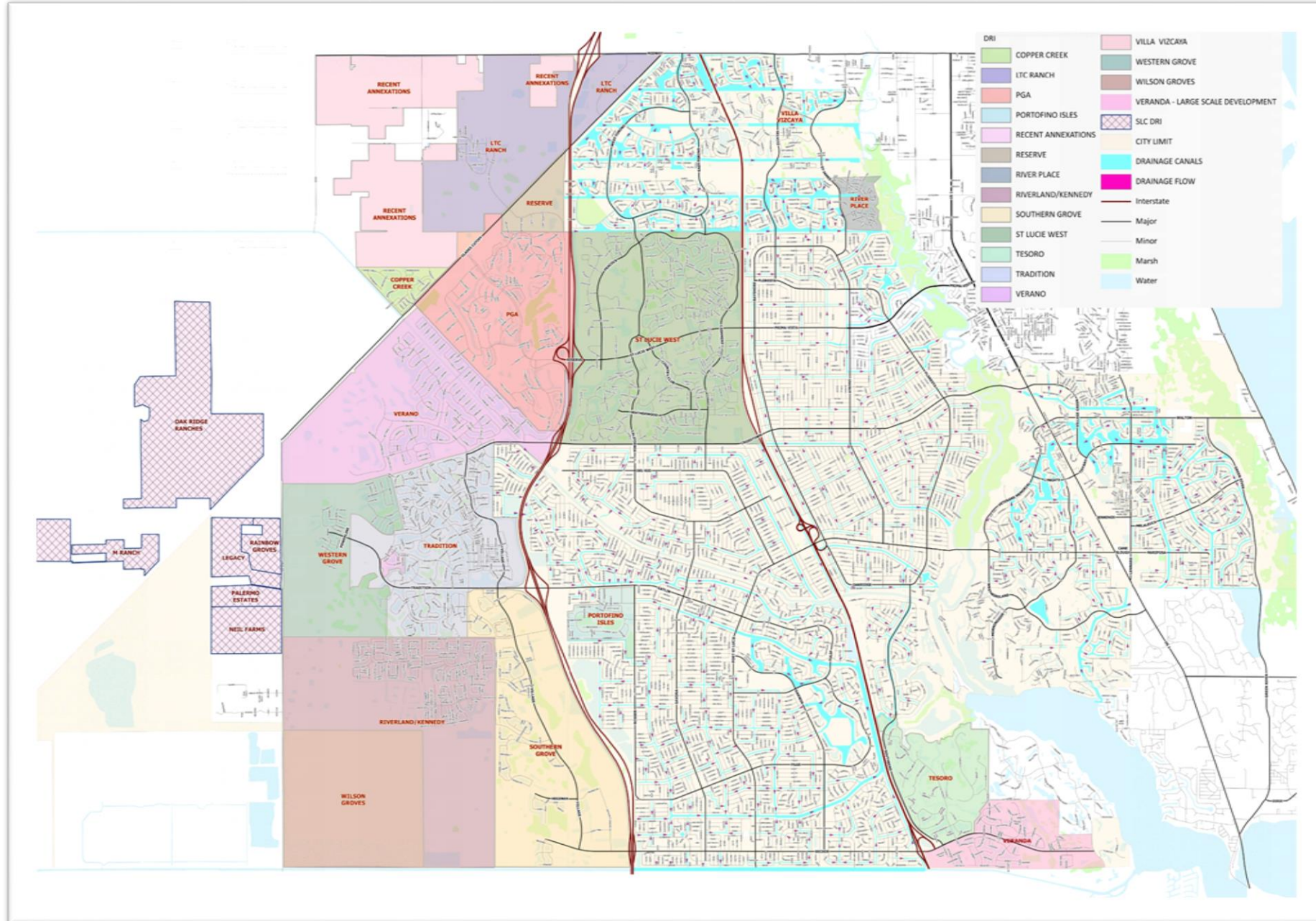


Project Background

In addition to the concerns this proposal presents for overburdening Becker Road, the City is actively monitoring and commenting on active development west of the city which will all be relying on the city's roadway network to travel eastwards. Because the initial 2 lane grid network is not in place most of this traffic will likely use Becker Road to get to I-95.



Project Background



Internal Inconsistency

The proposal is inconsistent with several portions of the City's Comprehensive Plan including but not limited to, the following:

- Policy 1.2.2.3.b which states “neighborhoods in residential areas shall be within a 2-mile radius of shops, services and other activities.” – the proposal does not comply with this.
- Policy 1.2.2.4 which states that “Neighborhood Village Commercial areas shall function as a community of compatible uses in a compact setting serving adjoining neighborhoods.” – the proposal does not comply with this.
- Policy 1.2.11.4 which states that “the WG NCD District shall provide a mix of land uses within close proximity to work and home; establish a hierarchy of interconnected streets and pedestrian/bike paths within and between uses that promote internal trip capture; and incorporate transit-oriented design features.” – the proposal does not comply with this.

Amendments to the Comprehensive Plan are required to be internally consistent with the other provisions of the Plan. If the Council advances approval with conditions additional revisions to the Comp Plan language may have to be considered.

Overview of Similar Applications

- When applications for modifications to the Comprehensive Plan and associated DRIs are received, staff reviews them for their individual impacts, and the impacts to the adjacent uses and the city, being mindful of the desire to ensure that roads are in place to serve the development and the region as it comes online.
- The city approaches project review in a fair and consistent manner and if any concerns are identified during the project review, staff always meets with the applicant team to discuss the concerns and try to find a solution collaboratively with the applicant team to ensure that any unintended consequences are addressed or mitigated for.
- Staff finds that the city's development community, who are our partners, typically work collaboratively to problem solve and reach agreement with staff on how to resolve identified concerns before projects reach the boards for action, as noted in the following examples.



Overview of Other Applications

- Southern Grove accelerated roadway construction
 - Upon City's request for roadway connectivity, Southern Grove agreed to time certain thresholds to connect roadways instead of waiting for trip triggers.
 - Marshall Parkway to connect to Community Blvd within 6 months of Community being open to public at that intersection. Currently in the permitting stage.
 - Hegener Road (Paar Drive) to connect to Community Blvd within 18 months of Community being open to public at that intersection



Overview of Other Applications

- Riverland agreed to accelerated roadway construction as part of the Parcel D MPUD
 - Upon City's request for roadway connectivity, Riverland agreed to time certain thresholds to connect roadways instead of waiting for trip triggers.
 - Start construction for Discovery Way to connect west to N/S A and N/S A to connect south to the Parcel D 2nd entrance prior to 50% build out of Parcel D
 - Start construction for N/S B to connect south to Marshall Parkway and Marshall Parkway to connect east to current terminus after 80% build out of Parcel D or N/S B connecting to Marshall Parkway within 6 months of Marshall Parkway connecting from the west.
 - Start construction for N/S A to connect south to Marshall Parkway within 6 months of N/S A being constructed through this intersection from the south.

This brings 2 lane roadway connectivity between developments sooner than the DRI obligations being triggered and brings N/S A to second entrance of Parcel D.



Overview of Similar Applications: Comprehensive Plan Map Change

LTC Ranch agreed to accelerate roadway construction and switch to rooftop triggers

- Summary- The DRI is very old and the triggers for roadway construction do not make sense considering the existing needs. Staff identified concerns about the adequacy of the roadway network and the City's direction to move to rooftops for roadway construction triggers to ensure infrastructure is online to serve the needs of the residents.
- Resolution- Upon City's request the applicant met with staff from the City and St. Lucie County and agreed to switch to rooftop triggers for the widening of Glades Cut-Off Road and Midway Road as well as accelerating that work to ensure the roadway network is sufficient to serve the development and the adjacent community. Currently in approval process.



Contrast With Other Applications: Comprehensive Plan Map Change

GL Homes

- Relocated 31 acres of mixed use, 42 acres of NCD, and 16 acres of Residential (a total of 89 acres)
- Changed 2% of the 3,845-acre DRI
- Does not concentrate all of any one use in one area on one road
- Is internally consistent with the City's Comprehensive Plan

ACR Acquisitions

- Relocates all of the 566 acres of Mixed-Use land use in the entire DRI to concentrate it to the south side of Becker Road,
- Changes 22.6% of the 2,499-acre DRI
- Concentrates all the mixed use in one area on one road
- Is in conflict with policy 1.2.11.4 that requires a mix of land uses in close proximity to work and home in the WG NCD District, as well as policies 1.2.2.3.b and 1.2.2.4.

Traffic Impact Analysis

- The City's 3rd Party consultant found that proposed changes to Figure 1-6 could be accommodated within the planned roadway network for Wilson Groves DRI at the time of buildout and construction of all required transportation improvements. Recall that there are currently **no** roads running through the project.
- Prior to buildout and construction of all required transportation improvements, there were concerns about a decreased level of service on certain roadways which may result in a need for additional road widening.
- Beyond the currently under construction Becker Road extension project, no additional roadway improvements are required to be constructed in the current Wilson Groves DRI until 2,200 dwelling units or 2,573 p.m. peak hour trips, whichever comes last.
- At that trigger, Wilson Groves is required to construct the initial 2 lanes of N/S A from Becker Rd to E/W 3 (Marshall Parkway), and E/W 3 from Range Line Road to N/S B (Riverland Blvd), as outlined under Condition 19 of the Wilson Groves DRI (Table 2).



Condition 19, Wilson Groves DRI D.O. Internal & Access Roadway Improvements Table 1 & 2

Road	From	To	Trip Threshold*	Residential Units	Required Improvements
Phase I					
N/S A	Becker Rd	E/W 3	2,573	2,200	2 lanes
E/W 3	Range Line Rd	N/S A	2,573	2,200	2 lanes
E/W 3	N/S A	N/S B	2,573	2,200	2 lanes
Phase II					
Becker Road	N/S B	Range Line Road	4,148	3,955	Widen to 4 Lanes D
Paar Drive (E/W 4)	N/S A	N/S B	4,152	3,960	2 lanes
N/S B	Becker Road	E/W 3	4,397	4,233	2 lanes
Phase III					
N/S A	Becker Road	E/W 3	6,708	6,564	Widened to 4 Lanes D
Paar Drive (E/W 4)	N/S A	N/S B	7,148	6,821	Widened to 4 Lanes D
Paar Drive (E/W 4)	Range Line Rd	N/S A	7,449	6,997	2 lanes

* Wilson Groves Cumulative Total Net External DRI p.m. Peak Hour Trips

Traffic Impact Analysis

- Until additional roads are constructed, the totality of the trips in Wilson Groves will be placed on Becker Road, overburdening the roadway resulting in an accelerated need to widen the roadway within the Wilson Grove DRI and to the east of N/S B.
- Having the grid network in place would help disperse traffic to some extent but would not likely resolve all the traffic burden on Becker Road.



Summary Analysis of Traffic Impacts

- The Public Works Department review, the City's 3rd Party Traffic Consultant review, and the Simmons and White review of the applicant's traffic study reached similar conclusions about the impacts to Becker Road from the proposed land use amendment.
- The primary benefit to the completion of the grid network is to the applicant, in providing access and circulation to its development, to the other applicants developing in this southwest corner of the City, and to ensure the general welfare and safety needs of the City's residents are met.
- All three expert reviewers of this project agreed that the completion of the 2-lane grid roadway network is necessary to accommodate development in this area of the city, and that the completion of the roadway network would help mitigate the potential overburdening of Becker Road to some degree.



Overall Analysis

- Staff now has traffic reviews from two professional consulting firms identifying concerns related to level of service concerns on Becker Road as a result of the proposed land use amendment.
 - The approved conceptual land use map shows the mixed-use development and associated trips distributed within the Wilson Grove DRI, and by shifting all the mixed-use development south of Becker Road most of the trips and traffic impacts are shifted onto Becker Road.
- Staff has no certainty of when the roadway connections in the Wilson Grove DRI will be constructed, and the Applicant has not offered to deviate from the existing DRI triggers, but our analyses indicates that the DRI triggers will not be met until after Becker Road is required to be widened.
- Staff is mindful of the direction from City Council at the February 2023 winter workshop presentation of the Southwest Annexation Area Traffic Study regarding the need to prioritize the timely completion of the two-lane roadway network for connectivity and public safety.
- Staff has tried to work with the applicant to identify ways to address the identified concerns as we do with all our developer partners, but this applicant has not committed to modify any of the infrastructure related conditions to ensure the intent of the DRI is realized, meaning that the roadway connections come online with the development, rather than long after development happens when the roadway is already failing.



Overall Analysis

If approved this application would be transmitted to the DEO and adjacent communities with our approval despite the unresolved traffic concerns and no clear mitigation identified as part of the proposal.

- The City sent objection letters to DEO regarding the St Lucie County development known as Oak Ridge Ranches and the development known as Rainbow Groves. One of our objections is that these large-scale comprehensive plan amendments were approved with identified traffic concerns but a lack of traffic planning to address the concerns. So, we objected to the County doing the same thing as we would be doing if this proposal is approved as currently presented.



Staff Findings

As a result of the totality of the information, including:

- All the reviews of the applicants traffic study and supplemental data,
- The inconsistencies with the Policies in the Comprehensive Plan,
- The uncertainties surrounding the potential impacts to the level of service on Becker Road from the proposal to relocate all 566 acres of the Mixed-Use land use sub-district on the south side instead of dispersed throughout the Wilson Grove DRI,
 - LOS would be decreased by the loading of trips from the relocated uses
 - The potential need for Becker Road to be widened to 4 lanes before the Applicant would have to build any other roadways per their existing transportation conditions in their DRI
 - Potential need for Becker Road to be widened to 6 lanes
- The direction from City Council to prioritize the timely completion of the two-lane roadway network for connectivity and public safety, (continued on next slide)



Staff Findings

- the applicant has not revised the application to address staff concerns and the issues raised in the City's 3rd Party Consultant review and the Simmons and White review.
- staff is no longer convinced that this application to amend Figure 1-6 is in the best interests of the City. *The transportation conditions in the DRI were based on the previous conceptual land use map, so if the land use map is changing the transportation condition will need to be revised accordingly.
- staff can no longer support a recommendation of approval to transmit the proposed amendment for transmittal to the Department of Economic Opportunity (DEO).



Staff Recommendation

The Planning and Zoning Department staff does not find the petition to be consistent with the intent and direction of the City's comprehensive plan and **recommends denial** based on the concerns outlined in the agenda memo, the Public Works traffic memos, the City's 3rd Party Traffic Consultant reviews of the applicant's traffic submittals, the data in the Southwest Annexation Area Traffic Study, and the Simmons and White traffic study review included in the Shubin and Bass letter dated June 2, 2023.



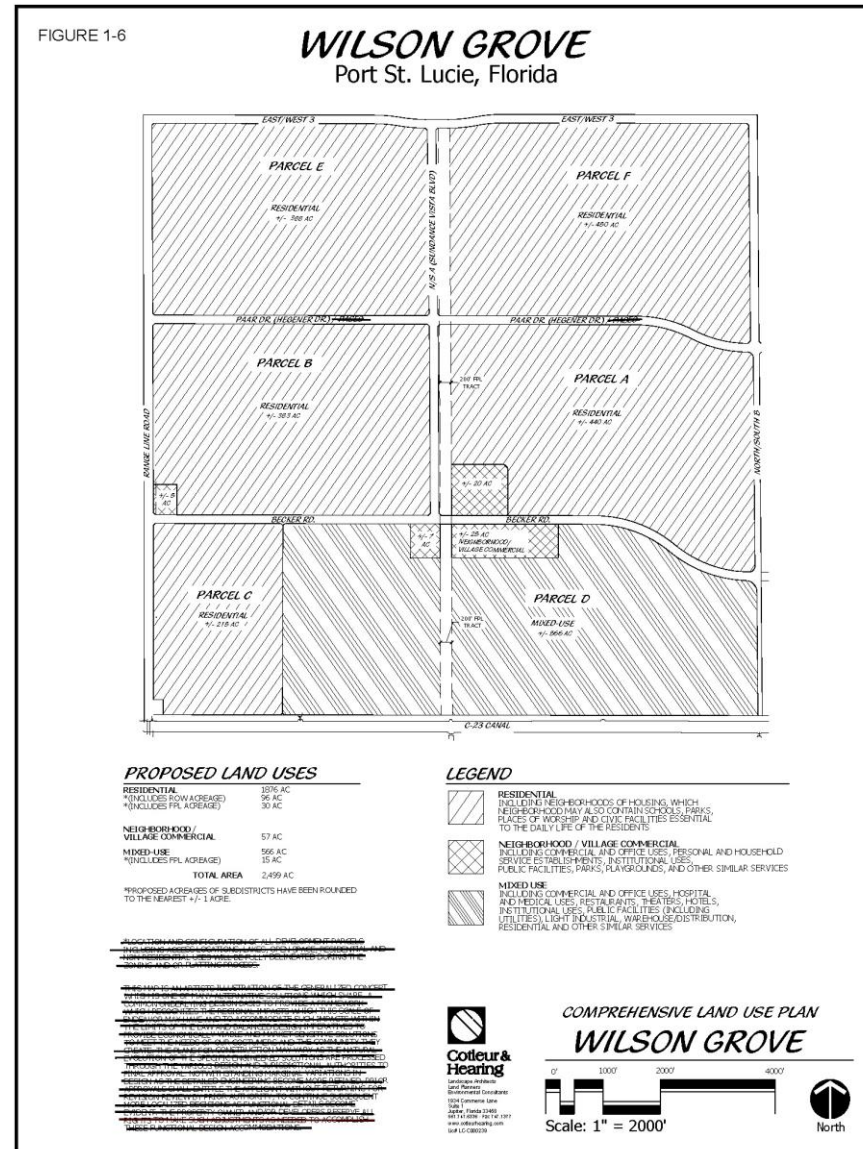
Alternate Motion

- If there is an alternative motion by the City Council to approve the proposed amendment for transmittal to DEO, then staff would recommend the approval be conditioned on the following recommendations from the Planning Department and Public Works:
 1. The applicant must reimburse the City for the City's consultant to conduct a monitoring analysis when deemed necessary by the City for the developer's obligated roadways.
 2. Removal of all references to a Paseo along E/W 4 right-of-way as reflected on Revised Exhibit "A".
 3. To address decreased level of service concerns, Wilson Groves shall be required to construct the first two lanes of N/S A from Becker Road north to Marshall Parkway and the first two lanes of Marshall Parkway from N/S A to N/S B prior to the completion of 2,200 dwelling units. This condition removes the ability to utilize the trip generation option for triggering the construction of the first two lanes of these roadways for residential development and is consistent with the Council policy to support the construction of the full two-lane roadway network as reflected on Exhibit "B" Proposed Policy 1.2.11.6
 4. The removal of the notes from Figure 1-6 as reflected on Revised Exhibit "A".
- The recommended conditions of approval have been incorporated into the adopting ordinance as Exhibit "A" , Figure 1-6, and Exhibit "B", Proposed Policy 1.2.11.6.



Revised Exhibit A cited in Alternative Motion Conditions

Revised Exhibit "A", Staff Recommended Changes to Proposed Figure 1-6



Additions shown as underlined and deletions shown as ~~strikethrough~~

Exhibit B: Proposed Policy 1.2.11.6

The Wilson Groves NCD District shall also provide the following transportation improvements:

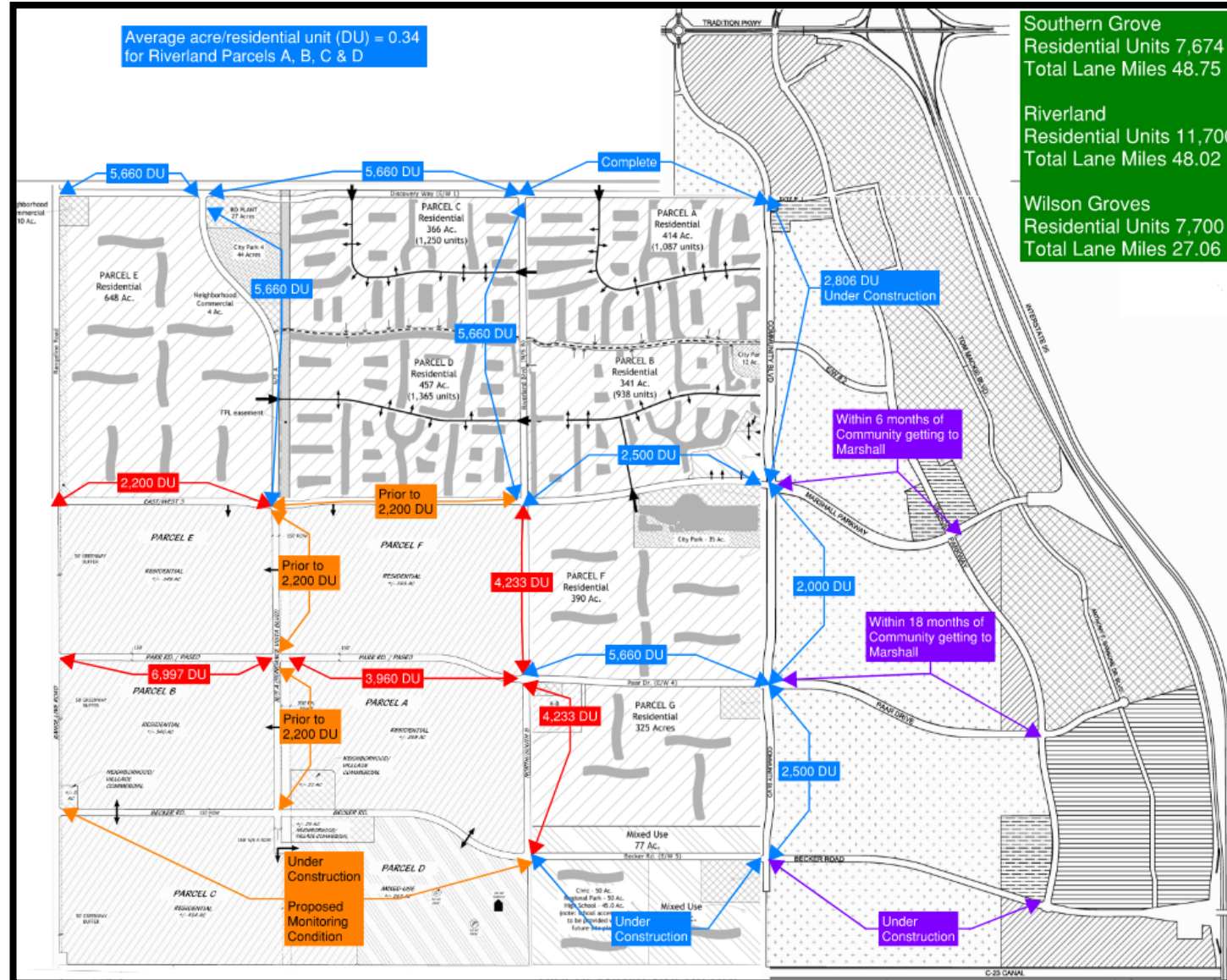
- a. The first two lanes of N/S A from Becker Road to E/W 3 shall be constructed and open to the public prior to the construction of 2,200th* dwelling unit in the Wilson Groves DRI; **
- b. The first two lanes of E/W 3 from N/S A to N/S B shall be constructed and open to the public prior to the construction of 2,200th* dwelling unit in the Wilson Groves DRI**

* or any combination of non-residential development equivalent to 2,200 dwelling units in the Wilson Groves DRI per the Wilson Grove DRI Trip Equivalency Matrix:

** The widening of the required roadways shall be in conformance with Wilson Groves DRI.



SW Annexation Area 2 Lane Network and Alternative Motion Conditions



Additional Communications

On July 24, 2023 ACR Acquisitions contacted the City Manager and proposed rooftop triggers for the construction of roadway segments, In conjunction with the elimination of Paar Road. The rooftop triggers proposed were:

Development Order: Proposed Table 2

ACTION	ROAD	FROM	TO	IMPROVEMENT	TRIGGER	Existing Trigger in DO
CONSTRUCTION	BECKER	N/S B	RANGELINE	2L	DRI - 0 UNITS	2,573 Trips or 2,200 Units
DESIGN ¹	N/S A	BECKER	E/W 3	2L	DRI – 2,100 UNITS	-----
CONSTRUCTION	N/S A	BECKER	E/W 3	2L	DRI - 2,400 UNITS	2,573 Trips or 2,200 Units
DESIGN ¹	E/W 3	N/S A	N/S B	2L	DRI – 2,400 UNITS	-----
CONSTRUCTION	E/W 3	N/S A	N/S B	2L	DRI – 2,600 UNITS	2,573 Trips or 2,200 Units
DESIGN ¹	E/W 3	N/S A	RANGELINE	2L	DRI – 2,850 UNITS	-----
CONSTRUCTION	E/W 3	N/S A	RANGELINE	2L	DRI – 3,150 UNITS	2,573 Trips or 2,200 Units
DESIGN ¹	N/S B	BECKER	E/W 3	2L	DRI – 4,600 UNITS	-----
CONSTRUCTION	N/S B	BECKER	E/W 3	2L	DRI – 4,900 UNITS	4,397 Trips or 4,233 Units
CONSTRUCTION	BECKER	N/S B	RANGELINE	W TO 4L	DRI – 4,148 TRIPS	4,148 Trips or 3,955 Units
CONSTRUCTION	N/S A	BECKER	E/W 3	W TO 4L	DRI – 6,708 TRIPS	6,708 Trips or 6,564 Units

¹Wilson Grove shall commence the design and permitting process at this time and will complete the design and permitting within six months thereafter.



Additional Communications

On July 25, 2023 the City Manager responded to the July 24, 2023 email/letter from ACR Acquisitions and stated that:

- The City appreciated the willingness of the applicant to switch to rooftops for road construction triggers for the initial 2 lane roadway network.
- The proposal would need additional review and study to determine if it would address the City's concerns about the overloading of Becker Road.
- The proposed roadway triggers appear to be such that they would further delay the establishment of the grid network more than the current roadway triggers.
- The City did not support the elimination of Hegener Road, F.K.A Paar Drive.
- The region and the City has anticipated and relied upon the provision of the grid network including Paar Drive since the original WATS Study.

The City appreciates ACR Acquisition's willingness to work with staff, however, cannot support the new proposal at this time.



Additional Communications

On July 26, 2023 the City Manager received a letter from ACR Acquisitions in response to his letter of 7/25.

The city would note that:

- The letter included a new proposal, without any illustrations, to reduce the mixed use acreage from 566 acres to 257 acres with the difference to be allocated to residential acreage as a proposed condition of approval.
- This proposal represents a substantial change that does require additional review and analysis before staff would be able to offer technical comments and recommendations to the Council.

