Exhibit "1"

Pine Trace PUD

City of Port St. Lucie, Florida

Fourth-PUD Amendment Application: July 6, 2009 February 26, 2025

> P09-091 P24-216

Submitted to:

City of Port St. Lucie
Planning and Zoning Department
121 SW Port St. Lucie Boulevard
Port St. Lucie, Florida 34984

Prepared for:

KB Home Orlando, LLC
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Orlando, Florida 32819
Coast to Coast Investment Properties, LLC
1540 NE Dixie Hwy, J
Jensen Beach, FL 34957

Prepared by:

Common Oak Engineering, LLC

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Staniec Consulting Services Inc.

4305 Neptune Road

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List of Previous Amendments

Amendment	Approval Date	Project Number	Ordinance #
<u>Original</u>	6/28/04	P04-134	<u>04-86</u>
1st Amendment	7/23/07	P07-144	<u>07-110</u>
2 nd Amendment	11/24/08	P08-206	<u>08-128</u>
3 rd Amendment	11/23/09	P09-091	09-88

<u>Underline</u> is for additions <u>Strikethrough</u> if for deletions Based document is Amendment #3

Pine Trace

Planned Unit Development List of Key Contacts

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Owners (Parcel A):

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Pine Trace

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Exhibits

Exhibit A – Binding PUD Agreement

Exhibit E - Conceptual Development Plan

Summary of PUD Amendment 4 Changes

- I. General Statement- The General Statement has been updated to explicitly include the commercial use designated for Parcel A and to specify the requested increase in the square footage limit to 11,000 SF. Additionally, any single retail use exceeding 5,000 SF on Parcel A has been designated as a Special Exception Use.
- II. General Guidelines -The General Guidelines section has been updated to confirm that all proposed commercial development on Parcel A will strictly adhere to the approved 5th Edition of the Citywide Design Standards.
- III. Permitted Uses –The section addressing Permitted Uses for Parcel A has been amended to exclude all previously proposed commercial uses. Furthermore, the revised section now explicitly identifies Special Exception Uses, which include increased gross floor area, retail sales of beer and wine, and an increase in allowable square footage.
- IV. Bulk Requirements Setbacks specifically for commercial use on Parcel A have been formally identified and delineated
- V. Access and Circulation The Access and Circulation section has been revised to formally incorporate specific street names. Pine Trace Avenue and St. James Drive are now explicitly identified as the applicable roadways.
- VI. Landscaping, screening, Open Space- No change.
- VII. Signs-Reference to Chapter 155 of the zoning code added.
- VII. Sanitary Sewer and Water-No Change.
- IX. Drainage Facility and Services-No Change.

I. General Statement

- A. KB Home Orlando, LLC, Coast to Coast Investment Properties, LLC, herein after and collectively "Developer" the property owner of Parcel A is seeking to revise and amend an existing Planned Unit Development (PUD), Pine Trace PUD, located in Port St. Lucie, Florida, as it relates to Parcel A. The Binding PUD Agreement is included as Exhibit A and the Conceptual Development Plan is included as Exhibit E B. The purpose of this application is to incorporate a revised Conceptual Development Plan for this mixed use development, which will consist of single-family residential uses with recreational area, limited mixed uses, and a utilities tract. The recreational areas will consist of various open space tracts and an active recreational area (Tract F) that may include activities such as horseshoe, bocce ball, exercise stations, picnic shelter, playground, etc. Parcel A. Parcel A, the last undeveloped parcel of the PUD, will consist of a single retail development not to exceed 11,000 square feet.
- B. Pine Trace PUD is located within the former Sharrette Development of Regional Impact project area. Stormwater management is provided by an onsite lake system located in Basins 604B and 603A. The City of Port St. Lucie will provide water and wastewater utilities service. All utilities (water, sewer, telephone, cable TV, and power lines) are located underground
- C. The physical characteristics of the Pine Trace PUD can be described as approximately 39.92 acres of residential and utility uses, and a lake and associated recreational amenities. There are no existing wetlands within the PUD neighborhood boundaries that are designated for impact or to be preserved that have not already been mitigated for as approved during the original permitting by SFWMD, DRI, and Army Corps of Engineers
- D. The Pine Trace site is 39.92 acres, which exceeds the 2-acre minimum needed for the establishment of a PUD within the City of Port. St. Lucie. The PUD application is consistent with the City of Port. St. Lucie Comprehensive Land Use Plan.
- E. The Pine Trace PUD Conceptual Development Plan shall serve as the conceptual vision for development and provide a statement of what is the intent of development. It is understood that internal roadways may be adjusted somewhat to take advantage of vegetation, plan design, and other site considerations.
- F. The Outline Plan and the Conceptual Development Plan designate three tracts for development: Parcel A Mixed Uses (as per LMD Zoning); Parcel B Single-Family Residential/Open Space/Recreation Uses; and Parcel C Utility Uses. The Mixed Use (as per LMD) Parcel A shall not exceed 35 11,000 GSF, the Single-Family Residential Use Parcel B shall not exceed a total of 36.71 acres and a total development of 182 single-family lots, and the Utility use parcel C shall not exceed 1.0 acre in size. The recorded plats include only 168 lots. The PUD has been recorded as Pine Trace PUD, PB 49, PG 5-9. It was re-platted in Pine Trace Phase II PUD, PB 52, PG 32-33. It was re-platted again in Pine Trace Second Re-Plat, PB 62, PG 1—14. Parcel A shall be developed with up to 11,000 square feet of Retail. Any retail use exceeding 50% of the building floor area or over 5,000 square feet shall require a Special Exception Use in accordance with Section 158.155 (D) of the City of Port St. Lucie Code of Ordinances.

- G. In addition to the permitted principal uses and structures described herein and in applicable sections of the City of Port. St. Lucie Land Development Regulations, the residential development parcel depicted on the PUD Conceptual Development Plan shall be permitted to include a temporary sales and information center and model housing sales unit(s). The location of said structure is indicated on the Conceptual Development Plan.
- H. Design guidelines have been established for the residential housing types to establish setbacks, building separations, lot sizes and proposed unit configurations to be utilized in the design and site planning of the residential parcel of the Pine Trace PUD, as delineated and on the approved Construction Plans and plats. The commercial use on Parcel A shall comply with the Citywide Design Standards.
- I. Proposed PUD modifications in this application the 3rd amendment included a A change from a duplex residential product to a single-family detached product, reestablish amenities in active recreation area (Tract F), and individual lot irrigation is at the discretion of the home owner. Proposed PUD modifications in this application include: Revising the development threshold for Parcel A from 35,000 sq ft to 11,000 sq ft, updating permitted uses for Parcel A, and establishing requirements for special exception approval for a single use greater than 5,000 square feet on Tract A, and/or retail exceeding 50% of the building floor area on Tract A.
- I. At the time of the 3rd amendment to the PUD, this application of PUD amendment, the original PUD, except for Parcel A, has been constructed. The existing improvements include: drainage pond, structures, pipes, water and sewer mains and service laterals, sanitary sewer lift station, roads, base, curbing, first lift of asphalt except for the phase II area. Underground electric, transformers and street lights. Street and traffic signs and striping. Landscaping and entrance signs. The items that are proposed in this amendment do not affect or require modification of any of the infrastructure that has been installed.

II. General Guidelines

- A. The design guidelines for the Pine Trace PUD are provided to ensure the delivery of the design concepts throughout the Conceptual Development Plan and allow the project flexibility to achieve an appropriate variety in physical development. The design guidelines for Pine Trace set forth the minimum standards to be utilized for the planning and design of the individual parcels, and are intended to supplement the existing development regulations of the City of Port. St. Lucie and other regulatory authorities. Parcel A shall fully conform to the Citywide Design Standards, 5th Edition.
- B. Where conflicts exist between the requirements and standards of the City of Port. St. Lucie's Land Development Regulations and the requirements and standards of the Pine Trace PUD design guidelines, the latter shall apply.
- C. The developer reserves the right under this development order to modify any of the design criteria established, and to add housing types, subject to approval of a Conceptual Development Plan modification, pursuant to allowances of the City's Land Development Regulations (Change in Conceptual Plan Plans except that Parcel A is subject to the Citywide Design standards, as amended.

III. Permitted Area Uses

- A. Parcel A- Mixed Uses as per Section 158.155, Limited Mixed Use (LMD) Zoning District of the City of Port St Lucie Code of Ordinances) as set forth herein. per LMD Zoning) as set forth herein.
 - 1. Bank (special exception approval required).
 - 2. Medical and Professional Office.
 - 3. Uses by right in ROI land use.
 - 1. Retail or personal service uses conducted wholly within an enclosed building, including the retail sales of beer and wine for off and incidental on premises consumption in accordance with Chapter 110, but not including convenience/gas sales. These uses shall not exceed fifty percent (50%) of the building's gross floor area and no one use shall exceed 5,000 square feet. The conceptual plan required under section 158.155(M)(1)(c) shall specify those areas of the building to be used for retail uses.
- B. Parcel B- Single-Family residential uses as modified herein.
- C. Parcel C Utility Uses
- D. Accessory uses and structures shall be permitted in accordance with the applicable provisions of the City of Port St. Lucie Zoning Ordinance pertaining to the principal use of the property as permitted and provided for in Subsection A and C of this Section III.
- E. Special Exception Uses Parcel A:
 - Retail or personal service uses, exceeding fifty percent (50%) of the building's gross floor area, conducted wholly within an enclosed building, including the retail sales of beer and wine for off and incidental on premises consumption in accordance with Chapter 110, but not including convenience/gas sales. The conceptual plan required under section 158.155(M)(1)(c) shall specify those areas of the building to be used for retail uses.
 - 2. Any use exceeding five thousand (5,000) square feet.

IV. Bulk Requirements

- A. Development of the Pine Trace PUD will be generally guided by the Conceptual Development Plan and the area use descriptions provided in Subsections A and C of Section III. Development of individual parcels will be specifically in compliance with the provisions for dimensional regulations, access and circulation conditions provided below.
- B. Other restrictions not specifically addressed in the PUD document, including but not limited to, accessory uses, parking, and loading shall be as defined in the City of Port St. Lucie Code as applicable to the zoning category most appropriate to the land use. Where a conflict exists with City Code, these standards shall take precedence unless found to be contrary to the public health, safety, or welfare.
- C. Max. Residential Density in dwelling units per acre (DU/AC) shall be as follows:
 - 1. Parcel B (original) 4.95 DU/AC 182 Units 36.71 Acres
 - 2. Parcel B (revised) 4.58 DU/AC 168 Units 36.71 Acres

D. Minimum Building setbacks from the property lines shall be as follows:

Parcel A-(2.21 Acres - Mixed Use (As per LMD Zoning) with the specific uses listed in section III. A.

<u>Setback</u>	Minimum Distance
Road A Pine Trace Ave (Front or Side Yard)	25 Feet
St. James (Front Yard)	25 Feet
Rear Yard	<u>20</u> Feet
Side Yard	20 Feet

Parcel B – (36.71 Acres – Maximum Gross Density = 4.58 DU/AC)

O (1)	
Setback	Minimum Distance

Front Yard 20 Feet – 20 Feet (garage) Rear Yard (includes bulkhead) 10 Feet (principal building)

5 Feet (Accessory

Structure)

30 Feet (principal Building) Rear Yard (Lake Lots)

25 Feet (accessory

Structure)

Rear Yard (Canal Lots) 10 Feet (principal Building)

6 Feet (Accessory

Structure)

Side Yard 5 Feet (attached units,

> minimum 12-foot separation between buildings) 5 Feet (Corner)

Road A Pine Trace Ave (Side or Rear) 15 Feet

Recreation Area (Tract E)

Setback:	Minimum Distance
Front Yard	20 Feet
Rear Yard	20 Feet
Side Yard & Corner Side Yard	10 Feet
Accessories	10 Fee t

Setback: **Model Center**

Front Yard 20 Feet – 20 Feet (Garage) Rear Yard 10 Feet (Principal Building) 5 Feet (Accessory Structure)

Side Yard & Corner Side Yard 5 Feet

Parcel C - (0.97 acre - City of Port St. Lucie Utility Tract) - No Changes

Proposed

Setbacks: Minimum Distance North Yard 20 Feet South Yard 20 Feet East Yard 20 Feet West Yard 20 Feet

E. Minimum lot size in Parcel B is 3,000 square feet

Minimum lot width within Parcel B is 30 feet (front) and 23 feet (rear)

Maximum heights shall be as follows:

1. All Residential Uses 35 ft

2. Office, Institutional, or Mixed Uses Commercial 4035 ft

V. Access and Circulation

- A. All new development or redevelopment shall be provided with the appropriate access and traffic facilities to serve the transportation needs of the development in a safe and efficient manner.
- B. Access shall be restricted to the locations shown on Exhibit on arterial and collector streets in order to protect the capacity of these streets. Traffic calming devices may be utilized to minimize traffic speeds.
- C. This development has dedicated by plat to the public, or a private maintenance entity, the necessary rights-of-way for all new streets and roads within the development. Additional rights-of-way have been dedicated on existing roads to bring that road to the necessary right-of- way indicated in the functional classification system contained in the transportation element of the Comprehensive Plan. This development was required to construct or contribute towards off-site road improvements necessary to serve the development, unless otherwise addressed by the City Council. Necessary road improvements may include road construction, road widening, left and right turn lanes, traffic signals, regulatory signs and pavement markings. A traffic study was approved by the Zoning Administrator and/ or the Engineering Department to verify the traffic impacts of the new development have been mitigated.
- D. Every building, structure, or use hereafter erected, moved, or established shall be on a lot adjacent to a public street or by means of an approved private street, and all buildings, structures, and uses shall be so located on lots so as to provide safe and convenient access for servicing, fire protection, and required off-street parking and loading. No building, structure, or use shall be erected on, moved onto or established upon a lot which does not abut on at least one (1) public street or an approved private street for a distance of at least thirty (30) feet. No on-street parking shall be allowed.
- E. No lot which is residentially zoned shall be used for driveway, walkway, or access purposes to any lot which is non-residentially zoned or used for any purpose not permitted within the applicable residential zoning district except for ingress and egress to and from an existing use which does not abut a street.
 - 1. Median breaks and turn lanes <u>on St. James</u> Drive have been provided in accordance with the City of Port St. Lucie Subdivision Regulations.
 - All public improvements required herein have been constructed to the specifications of the City of Port St. Lucie or as otherwise approved. The right and left turn lane improvements for St. James Drive meet FOOT FDOT regulations.
 - 3. All public streets meet the minimum geometry requirements of the City of Port St. Lucie. Road A Pine Trace Ave has been designed to accommodate 45 mph traffic speeds. Road A Pine Trace Ave has been dedicated to the City by the plat. All road right-of-way widths are as

depicted on the Conceptual Development Plan in Exhibit E and the Street Cross Sections are included in Exhibit E.

- F. Residential Parking Requirements: Duplex units will be required by the HOA to park one of their vehicles in the garage. Two parking spaces will be provided in front of each duplex unit. The Cabana area shall provide at least 5 additional guest spaces in addition to the number of spaces required for recreation facilities.
- G. Boats, RV's, Campers, or trailers, and similar will not be allowed to be parked on site. This language is part of the HOA Documents.
- H. Residential developer shall construct the 6 ft. sidewalk along the Read A Pine Trace Ave frontage of Parcel C and shall install a Bus Shelter in the southeast corner of Parcel A. Bus Shelter placement shall not affect or modify existing Parcel A final/detail site plan approvals.

VI. Landscaping, Screening and Open Space

- A. Landscaping, screening, open space, and tree preservation shall be provided in accordance with the City of Port St. Lucie Code provisions, unless otherwise indicated herein or in the PUD Conceptual Development Plan.
- B. A landscape area along St. James Drive R.O.W. shall be a minimum of 15 feet in width within Parcel A.
- C. For Parcels A and C, a minimum 10' standard City landscape buffer is to be located along the sides of adjacent parcels unless otherwise indicated. Along the C-106 Canal, a 10' standard City landscape buffer shall be provided. Along the FPL ROW, trees shall be provided as appropriate to the street section along the south side of Parcels A and C. Parcel C landscape buffer around the perimeter will be installed by the Developer with the approval by the City Utility Department and will be maintained in perpetuity by the HOA.
- D. Parcel B lots that abut Canal C-106 shall have a landscape strip six feet in width with one shrub for every 2 ft. and one tree per lot located within the six foot strip. Types of trees may be Type A, or B as indicated in Appendix C of the City's Landscape Code. The east, west, and south perimeter will have a 10-foot standard City landscape buffer.
- E. To further enhance the mature neighborhood setting of the development, a premium will be placed on the preservation of the natural tree cover and other unique characteristics of the landscape. This is deemed necessary in order to maintain a sense of natural amenity and to preserve the intrinsic environmental values of the site. We place a high value on the preservation of native tree cover as a wildlife habitat and as protection against erosion and contamination by runoff from the site. All trees with a trunk diameter of six inches or more at four and a half feet above current grade shall be preserved if at all possible. Particular attention shall also be given to grading and work to be performed adjacent to the trees to be preserved. The grade, drainage, and aeration shall be maintained around the trees to remain during site preparation and site construction.

- F. All construction and improvements within the development shall be in compliance with erosion and sediment control guidelines and ordinances of the City of Port St. Lucie and the State of Florida Department of Environmental Protection.
- G. Required landscaping shall not conflict with any existing easement.
- H. All utility transformers and telephone pedestals will be either (20) feet from the curb line or located behind the property line.
- I. All electrical installations shall be underground.
- J. Street lighting specifications and photographs will be provided for proposed site lighting within individual parcels at the time of their site plan review.
- K. Environmental Field Study.
 - 1. An environmental field study was previously conducted and copies are on file with the City of Port St. Lucie Planning and Zoning Department.
- L. No intrusive root system vegetation shall be placed within ten feet of utilities. No landscaping shall be placed in a manner that would create conflicts with the intended operation and maintenance of any existing utility.
- M. At least 25% of the lake bank perimeter will be planted with a littoral landscape shelf and at least 25% of the lake bank perimeter will be landscaped with one tree for every 20 feet of required length with the approval of the Engineering Department.
- N. There exists within the 39.92 acres 26.56 acres of upland habitat. 25% of these uplands are required to be preserved totaling 6.64 acres. All required preservation has been mitigated.
- O. Fences will be permitted on single-family in the rear yards only.
- P. Landscaping on the single-family lots shall provide for at least one type "A" tree, two type "B" trees, and 15 shrubs per lot in addition to any perimeter landscape strip planting requirements. The entire lot shall be sodded. Irrigation is optional to each individual home owner.

VII. Signs

- A. All signs shall be designated, located and constructed <u>and approved by and in</u> accordance with the City of Port St. Lucie Code, Chapter 155
- B. The minimum sign setback from any public right-of-way shall be 10 feet excluding directional and stop signs.

VIII. Sanitary Sewer and Water

- A. The Developer has born all costs for extending water and sanitary sewer to the project from St. James Drive.
- B. The City of Port St Lucie Utility Systems Department has provided water and wastewater service to the Pine Trace P U.D. The Developer has born the cost for

- providing these services and will abide and comply with all applicable City Ordinances, Policies, Specifications and Regulatory Agencies governing such service.
- C. The Developer has provided required fire hydrants and building fire protection systems in accordance with St. Lucie County Fire District rules, regulations and requirements at the time of detailed plans review.
- D. All construction shall be in accordance with the City of Port St. Lucie Utility Systems Department's Technical Specifications and Construction Standards, latest revision, and with all applicable Florida Department of Environmental Protection rules and regulations

Furthermore, the Pine Trace P U D. acknowledges that the City may require reuse water to be utilized for irrigation, equal to the amount of wastewater generated by the P. U. D., upon availability to the Site

IX. Drainage Facilities and Services

- A. An overall Conceptual Development drainage plan has been submitted with the Construction Plans associated with the plat.
- B. Stormwater detention shall be addressed per City of Port St. Lucie Drainage Ordinance and SFWMD requirements.
- C. The lake/ detention pond improvements shall be constructed in conformance with the master drainage plan requirements of SFWMD Permit No. 56-00466-S and all subsequent permit modifications issued for the project site.
- D. The surface water management system shall be designed to provide water quality treatment and peak discharge attenuation for all Stormwater runoff from the developed areas. The master lake system outfalls into C- 106 and was designed to limit the post-development discharge to pre- development rates in accordance with SFWMD and City of Port St. Lucie requirements and regulations.

Exhibits

Exhibit A – Binding PUD Agreement (Changed exhibit)

Exhibit E – Conceptual Development Plan (Changed exhibit)

EXHIBIT A BINDING P.U.D. AGREEMENT

Pine Trace

The property submitted for review for PUD Amendment Approval, known as Pine Trace, is under the unified control of the petitioners and KB Home Orlando, LLC. The petitioners agree to proceed with the proposed development according to all provisions in the Port St. Lucie P.U.D. Zoning Regulations, and/or, as indicated on the approved Planned Unit Development Plan, as it may be amended by the City of Port St. Lucie from time to time, and shall provide all agreements, contracts, deed restrictions and sureties as are acceptable to the City of Port St. Lucie for the completion of the development in accordance with the plan approved by the City.

The petitioners shall be responsible for the continuing operation and maintenance of such areas, functions, and facilities until such time as a private property owner's association agrees to accept responsibility. Such responsibilities are not to be provided or maintained at public expense, unless otherwise agreed to by the City of Port St. Lucie. The petitioners further agree to bind all successors in title to the commitments made herein this paragraph.

In WITNESS WHEREOF, we have hereunto set our hands and seal this 2nd day of July, 2009.

KB Home Orlando, LLC

By:

George Glance President

Witness:

Bv:

By:

midalla Parkisa

Exhibit E Conceptual Development Plan

