

Presented to:
City of Port St Lucie Planning & Zoning Department
121 SW Port St Lucie Boulevard
Port St Lucie, Florida 34984

APPLICATION

For

4TH AMENDMENT TO THE
~~P.U.D. APPROVAL~~
~~FOR THE AREA TO BE REFERED~~
~~TO AS~~ GATLIN PLAZA PUD

~~91.05 Acres~~

For
BDG Port St. Lucie, LLC
300 Robbins Lane
Syosset, NY 11791
(516) 921-0800

Prepared by:
Culpepper & Terpening, Inc.
South 25th Street
Ft. Pierce, Florida 34982
(772) 464-3537

May 2025
P23-159/PSLUD 11-863-000
Ord 25-000 (date)

LIST OF AMENDMENTS

General:

Original Gatlin Plaza PUD approved through Ord.05-032.

Amendments to this PUD were made in; July 2005 (Ord 05-104/P05-151);
December 2007 (Ord - 07-137/ P07-216); and,
September 2015 (Ord - 15-065/ P15-093).

Gatlin Plaza PUD Amendment No. 1 (P05-104)(Ord 05-104)

- Adding an additional 61.5 acres into the overall Gatlin Plaza PUD.
- Amending the conceptual site development plan (as originally described in Ord 05-032) to account for the addition of 61.5 acres into the overall Gatlin Plaza PUD
- Providing for the entering into of a Memorandum of Understanding (MOU) with the City regarding improvements at the intersection of I-95 and Gatlin Boulevard.
- Providing for certain site access (primary and secondary) improvements to the Gatlin Plaza PUD as depicted in the revised master site plan for the Gatlin plaza PUD.

Gatlin Plaza PUD Amendment No. 2 (P07-216) (Ord 07-137)

- Minor Editorial Modifications to the Cover Page
- Minor Editorial Modifications to the Table of Contents
- List of Exhibits has been Modified to Include All Exhibits
- Minor Editorial Modifications to the Development Team
- Minor Editorial Modifications to the Introduction
- Exhibit 1a - Addition of Application
- Exhibit 1b - Addition of Legal Description
- Minor Editorial Modification to Exhibit 2
- Exhibit 4
 - Minor editorial modifications
 - Addition of Tracts B, C, D and E
 - Square footage of building modification
- Exhibit 5
 - Wetlands to be Impacted – addition of mitigation statement
 - Development Area - square footage and percentage modification
 - Parking Required - editorial additions
 - Maximum Building Height - editorial additions

Underline is for addition to base document PUD Amendment #3 (P15-093)
Strike through is for deletion to base document PUD Amendment #3 (P15-093)

- Native Habitat
 - Minor editorial modifications
 - Acreage change
 - Addition of Upland mitigation table
- Proposed Density - minor editorial changes
- Exhibit 6
 - General Theme and Uses
 - Minor editorial modifications
 - Square footage of building modification
 - Addition of Tracts B, C, D and E
 - Permitted Uses minor editorial modifications
 - Design Standards
 - C - Modification of Total Frontage
Minor Editorial Modifications
 - D - Minor editorial Changes
 - E - Addition of Signage Statement
 - F - Deletion of Open Space Statement
Addition of Stormwater Statement
 - G - Minor Editorial Modifications
 - J - Addition of Minimum Parcel Size
 - K - Addition of landscape requirements
 - L - Addition of bicycle racks and bus shelters statement
 - M - Addition of pedestrian access statement
- Exhibit 7 - Minor Editorial Modifications
- Exhibit 9 - Minor Editorial Modifications
- Exhibit 10 - Minor Editorial Modifications
- Exhibit 11 - Minor Editorial Modifications

Gatlin Plaza PUD Amendment No. 3 (P15-093) (Ord.15-065)

- Minor Clarifying Amendments to the base text of the Overall PUD Document.
- Amended /Updated PUD Applications.
- Updated Agent Authorization Letters.
- Adding language to EXHIBIT 6 authorizing the sale, rental, and/or display (including outdoor sales, rentals, and/or display) of boats, watercraft, recreational vehicles, off-road vehicles, all-terrain vehicles, and other outdoors related vehicles and equipment as accessory uses to a otherwise permitted retail sales operation/activity.

Gatlin Plaza PUD Amendment No. 4 (P23-159) (Ord.25-xxx)

- Updated general project description, including identification of specific area and land use additions.

- [Updated Agent Authorization and Unity Control Certifications by Gatlin Plaza Condominium Association.](#)
- [Update General Standards \(Exhibit 4\) for establishment of PUD Zoning District](#)
- [Updated Site Information \(Exhibit 5\)](#)
- [Updated Development Standards and Uses \(Exhibit 6\)](#)
- [Updated Binding PUD Agreements \(Exhibit 8\)](#)
- [Updated Master Plan \(Exhibit 9\)](#)
- [Updated Traffic Summary Statement \(Exhibit 10\)](#)

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**GATLIN PLAZA
DEVELOPMENT TEAM**

Developer:

BDG Port St. Lucie, LLC.
300 Robbins Lane
Syosset, NY 11791
(516) 921-0800
Contact: Jonathan E. Cohen

Engineer:

Culpepper & Terpening, Inc.
2980 South 25th Street
Ft. Pierce, FL 34981
(772) 464-3537
Contact: Stefan Matthes, P.E.

INTRODUCTION

GENERAL PROJECT DESCRIPTION

(Updated through PUD Amendment No 4)

The Gatlin Plaza Planned Unit Development (PUD) was approved by the City of Port St Lucie in April of 2005, through Ordinance 05-032 (P04-431). The Gatlin Plaza PUD is a mixed commercial use development that capitalizes on its unique location at one of the primary gateways from I-95 (Gatlin Boulevard) into the City of Port St. Lucie. Amendments to this PUD were made in July 2005 (Ord 05-104/P05-151), December 2007 (Ord - 07-137/ P07-216) and September 2015 (Ord - 15-065/ P15-093).

~~The Gatlin Plaza commercial development is located within the corporate limits of the City of Port St. Lucie, Florida. The property is located in the southeast quadrant of the intersection of I-95 and Gatlin Boulevard. It is the intent and purpose of this PUD district to create a multi-use commercial development that will service not only the local neighborhood, but also the onto Gatlin Boulevard.~~

The initial area of site development for the Gatlin Plaza PUD totaled approximately 45.5 acres (or 50% of the overall 91-acre site). The remaining 45.5 acres (more or less) of the original project site, was to be used for stormwater management purposes, wetlands mitigation or reserved for future use (subject to further PUD amendment). Of the initial 397,050 sf of approved development (building) use area in the Gatlin Plaza PUD, 331,728 square feet have been completed, leaving 65,272 sq. feet, (or its equivalent) of development opportunity remaining to be built (as of October 2024).

The Gatlin Plaza PUD has approximately 850 feet of frontage along Gatlin Boulevard, extending from the east end of the I-95 northbound off ramp, to the east side of the ~~continues from the exit ramp and includes the~~ intersection of Brescia Street and Gatlin Boulevard. ~~The~~ This northeastern property corner ~~aligns with this intersection and~~ serves as the primary access point into the site. As part of this projects initial site development activities in 2005/2006, the developers provided for the installation of a traffic signal at the intersection of Brescia Street and Gatlin Boulevard. ~~The development will install a traffic signal along with all associated improvements at the intersection of Gatlin Boulevard and Brescia Street to insure safe access to the site.~~

In addition, as ~~As~~ part of the Phase I development authorizations granted for the Gatlin Plaza PUD, the developers of this project ~~have~~ contributed to the City of Port St. Lucie, approximately 1.0 million dollars that was to be used by the City in improving the section of Rosser Boulevard from Gatlin Boulevard south to Adea Street (completed in the spring of 2008 ~~scheduled for construction in the summer of 2007~~) and for other area roadway improvements that ~~will~~ were to facilitate the movement of traffic and pedestrians in the ~~western~~ Gatlin Boulevard area. Below is a breakdown of the off-site improvements that were funded as a part of this project:

- Gatlin & I-95 Interchange Improvements:
 - Signalization & Turn Lanes: \$137,000
 - Lane Expansions: \$226,000 (funded for Tract B Development)

Underline is for addition to base document PUD Amendment #3 (P15-093)
Strike through is for deletion to base document PUD Amendment #3 (P15-093)

- Rosser Blvd (add lanes): \$650,000

The Gatlin Plaza commercial development offers efficient and effective systems of public facilities, services and a high degree of compatibility with adjacent and nearby existing and future developments.

Water and wastewater service in the Gatlin Plaza PUD is ~~currently and will be~~ provided by the City of Port St. Lucie ~~and the property is a participant in the City Utility Expansion Program, USA No. 4.~~

During the construction of Phase I of the Gatlin Plaza PUD, the existing City of Port St. Lucie community entry ~~m~~Monument ~~s~~Sign, located in the median of Gatlin Blvd, had to be removed to accommodate the required transportation improvements for the property. As a part of the initial phases of development of the Gatlin Plaza PUD, BDG Port St. Lucie, LLC, (the developer) agreed~~s~~ to cooperatively work with the City to replace ~~the this~~ City entry feature with a like valued moniker at a location on, or adjacent to, the Gatlin Plaza PUD, ~~that is mutually agreed upon.~~ The relocation of this sign in the median of Gatlin Boulevard was successfully completed in the 2008 time period.

~~In 2012, The purpose of this the~~ 3rd Amendment to the Gatlin Plaza PUD was approved in order to ~~is to~~ provide for the ability of an otherwise permitted retail sales operation/activity within this commercial development to have as an accessory use, subject to conditions, and subject to covenants, easements, and restrictions of record, the sale, rental, and/or display (including outdoor sales, rentals, and/or display) of boats, watercraft, recreational vehicles, off-road vehicles, all-terrain vehicles, and other outdoors related vehicles and equipment. ~~(See Exhibit 6)~~

The purpose of this 4th Amendment to the Gatlin Plaza PUD is to provide for the introduction of approximately 353,000 square feet of additional retail entitlements, along with up to 120 hotel units, into the existing Gatlin Plaza PUD. The new retail square footage will be located in the area referred to as Tract 'B' on the original Gatlin Plaza Master Plan. The proposed hotel units could be located in either the Phase I or Phase II development area of the Gatlin Plaza PUD. Specific building footprints are to be identified as part of the individual site plan review process.

This application is respectfully submitted to the Planning & Zoning Department for processing as modification #~~3~~ 4 to the previously approved Gatlin Plaza PUD. The format of this application for PUD Amendment will follow the outline as presented in the PUD Zoning District Standards and Application Requirements.

Narrative Revised through PUD Amendment No 4

EXHIBIT 1 -- PUD AMENDMENT APPLICATION**CITY OF PORT ST. LUCIE**

Planning & Zoning Department
121 SW Port St. Lucie Boulevard
Port St. Lucie, Florida 34984
(772) 871-5212 FAX (772) 871-5124

FOR OFFICE USE ONLY

Planning Dept
Fee (Nonrefundable) \$
Receipt #

Refer to "Fee Schedule" for application fee. Make checks payable to the "City of Port St. Lucie." Fee is nonrefundable unless application is withdrawn prior to the Planning and Zoning Board meeting. All items on this application should be addressed, otherwise it cannot be processed. Attach proof of ownership: two copies of deed. Please type or print clearly in BLACK ink.

PRIMARY CONTACT EMAIL ADDRESS:smatthes@ct-eng.com**PROPERTY OWNER:**

Name: BDG Port St. Lucie, LLC c/o Jonathan E. Cohen

Address: 300 Robbins Lane

Syosset, NY 11791

Telephone No.: 516-921-0800

Fax No.: (516) 624-1965

AGENT OF OWNER (IF ANY)

Name: Culpepper & Terpening, Inc. c/o Stefan K. Matthes, PE

Address: 2980 South 25th St.,

Fort Pierce, FL 34981

Telephone No.: 772-464-3537

Fax No.: 772-464-9497

PROPERTY INFORMATION

Legal Description
(Include Plat Book and Page #)

Being all of Gatlin Plaza, as Recorded in Plat Book 54, Page 18, Public Records of St. Lucie County, Florida, lying in Sections 14 and 15, Township 37 South, Range 39 East, and Containing 91.068 acres, more or less.

Parcel ID Number

See attached

XXXX-XXX-XXXX-XXX-X

XXXX-XXX-XXXX-XXX-X

XXXX-XXX-XXXX-XXX-X

Current Zoning

PUD

Proposed Zoning

PUD

Future Land Use

CL

Acreage of Property

91.068

Reason for Amendment Request:

To provide for the addition of 375,000 square feet of added retail opportunity space and up to 120 hotel units, in the existing Gatlin Plaza PUD

- 1) Applicant must list on the first page of the attached amendment all proposed changes with corresponding page number(s).
- 2) All proposed additions must be underlined and deleted text must have a strikethrough.
- 3) Where there are conflicts between the requirements of the general provisions of this chapter or other applicable codes of the city and the requirements established by official action upon a specific PUD, the latter requirements shall govern.

BDG Port St. Lucie, LLC


Jonathan E. Cohen
Managing Member

Jonathan E. Cohen

Hand Print Name

October 13, 2023

Date

***If signature is not that of the owner, a letter of authorization from the owner is needed.**

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.

Underline is for addition to base document PUD Amendment #3 (P15-093)
Strike through is for deletion to base document PUD Amendment #3 (P15-093)

CITY OF PORT ST. LUCIE

Planning & Zoning Department
121 SW Port St. Lucie Boulevard
Port St. Lucie, Florida 34984
(772) 871-5212 FAX (772) 871-5211

Refer to "Fee Schedule" for
withdrawn prior to the
process

This is application from P15-093

ON

ONLY

nonrefundable unless application is
expressed, otherwise it cannot be
in BLACK ink.

PRIMARY CONTACT EMAIL ADDRESS:

smatthes@ct-eng.com

PROPERTY OWNER:

Name: BDG Port St. Lucie, LLC c/o Jonathan E. Cohen

Address: 300 Robbins Lane
Syosset, NY 11791

Telephone No.: 516-921-0800

Fax No.: (516) 624-1965

AGENT OF OWNER (IF ANY)

Name: Culpepper & Terpening, Inc. c/o Stefan K. Matthes, PE

Address: 2980 South 25th St.,
Fort Pierce, FL 34981

Telephone No.: 772-464-3537

Fax No.: 772-464-9497

PROPERTY INFORMATION

Legal Description
(Include Plat Book and Page #)

See attached

Parcel ID Number

XXXX-XXX-XXXX-XXX-X

XXXX-XXX-XXXX-XXX-X

XXXX-XXX-XXXX-XXX-X

XXXX-XXX-XXXX-XXX-X

Current Zoning

PUD

Proposed Zoning

PUD

Future Land Use

CL

Acreage Of Property

9.06

Reason for Amendment Request:

See Attached Application Submission

- 1) Applicant must list on the first page of the attached amendment all proposed changes with corresponding page number(s).
- 2) All proposed additions must be underlined and deleted text must have a strikethrough.
- 3) Where there are conflicts between the requirements of the general provisions of this chapter or other applicable codes of the city and the requirements established by official action upon a specific PUD, the latter requirements shall govern.

BDG Port St. Lucie, LLC

Jonathan E. Cohen
Jonathan E. Cohen
Managing Member

Jonathan E. Cohen

Hand Print Name

May 21, 2015

Date

***If signature is not that of the owner, a letter of authorization from the owner is needed.**

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.

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Strike through is for deletion to base document PUD Amendment #3 (P15-093)

**This is application
from P15-093**

CITY OF PORT LUCIE

Planning & Zoning
121 SW Port St.
Port St. Lucie, FL 34953
(772) 871-5212

Refer to "Fee Schedule" for application fee. Application is fundable unless application is withdrawn prior to the Planning and Zoning Board meeting. All items on this application should be addressed, otherwise it cannot be processed. Attach proof of ownership: two copies of deed. Please type or print clearly in BLACK ink.

PRIMARY CONTACT EMAIL ADDRESS: smatthes@ct-eng.com

PROPERTY OWNER:

Name: Bass Pro Shops c/o Jamie Carroll, Development Manager

Address: 2500 E. Kearny

Springfield, Mo. 65898

Telephone No.: (417) 873-4568

Fax No.: (417) 873-5338

AGENT OF OWNER (IF ANY):

Name: Culpepper & Serpening, Inc. c/o Stefan K. Matthes, PE

Address: 2980 South 25th St.,

Fort Pierce, FL 34941

Telephone No.: 772-464-3537

Fax No.: 772-464-9497

PROPERTY INFORMATION

Legal Description
(Include Plat Book and Page #)

See attached

Parcel ID Number

XXXX-XXX-XXXX-XXX-X

XXXX-XXX-XXXX-XXX-X

XXXX-XXX-XXXX-XXX-X

XXXX-XXX-XXXX-XXX-X

XXXX-XXX-XXXX-XXX-X

XXXX-XXX-XXXX-XXX-X

Current Zoning

PUD

Proposed Zoning

PUD

Future Land Use

CL

Acreage Of Property

91.06

Reason for amendment request:

See Attached Application Submission

- 1) Applicant must list on the first page of the attached amendment all proposed changes with corresponding page number(s)
2) All proposed additions must be underlined and deleted text must have a strikethrough.
3) Where there are conflicts between the requirements of the general provisions of this chapter or other applicable codes of the City and the requirements established by official action upon a specific PUD, the latter requirements shall govern.

Jamie Carroll
Signature of Petitioner

Jamie Carroll
Hand Print Name

3-2-15
Date

*If signature is not that of the owner, a letter of authorization from the owner is needed.

NOTE: Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed for 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.

Underline is for addition to base document PUD Amendment #3 (P15-093)

Strike through is for deletion to base document PUD Amendment #3 (P15-093)

**EXHIBIT 1B
LEGAL DESCRIPTION**

Being all of Gatlin Plaza, as Recorded in Plat Book 54, Page 18, Public Records of St. Lucie County, Florida, lying in Sections 14 and 15, Township 37 South, Range 39 East.

Containing 91.067 acres, more or less.

GATLIN PLAZA CONDIMINIMUM

<u>Parcel ID</u>	<u>Current Owner</u>	<u>Acreage</u>	<u>Legal Desc.</u>
<u>4315-503-0010-000-6</u>	<u>BDG Port St Lucie, LLC</u>	<u>4.454</u>	<u>GATLIN PLAZA CONDOMINIUM - PARCEL 10</u>
<u>4315-503-0007-000-2</u>	<u>SS Diamond Lure Port St Lucie LLC</u>	<u>1.294</u>	<u>GATLIN PLAZA CONDOMINIUM - PARCEL 7</u>
<u>4315-503-0001-000-0</u>	<u>BDG Port St Lucie, LLC</u>	<u>6.691</u>	<u>GATLIN PLAZA CONDOMINIUM - PARCEL 1</u>
<u>4315-503-0004-000-1</u>	<u>BDG Port St Lucie, LLC</u>	<u>7.185</u>	<u>GATLIN PLAZA CONDOMINIUM - PARCEL 4</u>
<u>4315-503-0006-000-5</u>	<u>BDG Port St Lucie, LLC</u>	<u>2.071</u>	<u>GATLIN PLAZA CONDOMINIUM - PARCEL 6</u>
<u>4315-503-0009-000-6</u>	<u>BDG Port St Lucie, LLC</u>	<u>5.953</u>	<u>GATLIN PLAZA CONDOMINIUM - PARCEL 9</u>
<u>4315-503-0003-000-4</u>	<u>SS Tuna Port St Lucie, LLC</u>	<u>11.155</u>	<u>GATLIN PLAZA CONDOMINIUM - PARCEL 3 (OR 3571-2859)</u>
<u>4315-503-0008-000-9</u>	<u>BDG Port St Lucie, LLC</u>	<u>39.573</u>	<u>GATLIN PLAZA CONDOMINIUM - PARCEL 8</u>
<u>4315-503-0005-000-8</u>	<u>BDG Port St Lucie, LLC</u>	<u>4.006</u>	<u>GATLIN PLAZA CONDOMINIUM - PARCEL 5</u>
<u>4315-503-0002-000-7</u>	<u>Bass Pro Outdoor World LLC</u>	<u>8.686</u>	<u>GATLIN PLAZA CONDOMINIUM - PARCEL 2 (OR 3514-1561)</u>

<u>Total area subject to PUD zoning</u>	<u>91.068</u>
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Description of Proposed Amendment #3—Generalized:

~~The purpose of this 3rd Amendment to the Gatlin Plaza PUD is to provide for the ability of an otherwise permitted retail sales operation/activity within this commercial development to have as an accessory use, subject to conditions, and subject to covenants, easements, and restrictions of record, the sale, rental, and/or display (including outdoor sales, rentals, and/or display) of boats, watercraft, recreational vehicles, off-road vehicles, all-terrain vehicles, and other outdoors related vehicles and equipment. (See Exhibit 6)~~

[go to next page]

EXHIBIT 1b - LEGAL DESCRIPTION

Legal Description For
GATLIN PLAZA PUD
Modification #~~3~~4

Being all of Gatlin Plaza, As Recorded in Plat Book 54, Page 18, Public Records of St. Lucie County, Florida, lying in Sections 14 and 15, Township 37 South, Range 39 East.

Containing 91.067 acres, more or less.

[go to next page]

EXHIBIT 2
P.U.D. APPLICATION CHECKLIST (158.170)

A statement of unified control for the entire area within the area to be zoned PUD is enclosed as Exhibit 3.

Gatlin Plaza is a proposed upscale, commercial development with a variety of retail uses.

The revised conceptual plan for Gatlin Plaza is attached as Exhibit 9 of this submittal.

Please see Exhibit 4 for the General Standards established for this Planned Unit Development. The maximum building heights, minimum setbacks and other site data are shown in Exhibits 5. Proposed development uses are shown in Exhibit 6.

This development is within the corporate limits of the City of Port St. Lucie with underlying land uses in place to support the intended uses of the property.

~~The proposed development will result in a traffic generation of approximately 12,365 vpd Average Daily Traffic (ADT) and 1,156 vph (vehicles per hour) P.M. Peak Hour. The total traffic generation expected from the site is applied to the existing roadway network to determine impacts on level of service. The development of the first phase of the Gatlin Plaza PUD in 2007 has resulted in the completion of the signalization of the intersection of Gatlin Boulevard and Brescia Street. Additional off-site improvements to the roadway network were required for the secondary access along Edgarce Street, Hayworth Avenue, and Fondura Avenue as part of Phase One. The complete traffic impact report of this project is included in Exhibit 10. It should be noted that through the proposed modification #2 to the existing Gatlin Plaza PUD, there is no additional square footage being added to Tracts C, D & E. There is in fact a slight reduction in square footage over what was originally approved through PUD amendment #1 for which no credits will be granted. The reduction in square footage through PUD amendment #2 coincides with the transportation improvements already provided. Should any square footage, above what is currently approved as part of the Gatlin Plaza PUD be proposed, transportation impacts, if any, will be addressed as part of any subsequent amendment to this PUD.~~

The Gatlin Plaza PUD proposes to construct 750,000 SF of Retail (Shopping Center) use, and a Hotel comprising 120 rooms. The existing PUD is approved for 397,050 SF of retail use. The proposed 4th Amendment will authorize up to 353,000 additional square footage of retail uses and a 120 room hotel. Exhibit 10 of this 4th Amendment provides a more detailed summary of

the amended traffic impact report for the Gatlin Plaza PUD development project. It should be noted that if the proposed hotel use is developed, there must be a corresponding decrease in the total site square footage to account for the reassignment of trip impacts from hotel-v-retail so that the gross development impacts remains equal to the projects impacts at 750,000 sq. feet.

EXHIBIT 3A
AGENT AUTHORIZATION LETTER
(prior agent authorization letters – not included)

BDG PORT ST. LUCIE, LLC
300 ROBBINS LANE
SYOSSET, NY 11791

GATLIN PLAZA
CONDOMINIUM ASSOCIATION INC
300 ROBBINS LANE
SYOSSET, NY 11791

October 17, 2023

Ms. Mary F. Savage-Dunham, AICP, CFM
Planning & Zoning Director
City of Port St. Lucie
121 SW Port St. Lucie Blvd.
Port St. Lucie, FL 34984

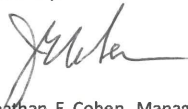
Subject: Gatlin Plaza I PUD – PUD Modification #4

Dear Ms. Savage-Dunham:

Please accept this letter as our authorization for Culpepper & Terpening, Inc., to act in all matters concerning the processing for the above referenced project providing for the establishment of the Gatlin Plaza I PUD.

Should you have any questions, please do not hesitate to contact me.

Sincerely:



Jonathan E. Cohen, Managing Member
BDG Port St Lucie LLC

Gatlin Plaza Condominium Association Inc
by: BDG Port St Lucie LLC as Developer
Jonathan E. Cohen
Managing Member

DJM/
23-095_231017_spl plan, 000, Dunham, authorization letter

EXHIBIT 3b
UNIFIED CONTROL LETTER

BDG PORT ST. LUCIE, LLC
300 Robbins Lane
Syosset, NY 11791

May 21, 2015

Ms. Patricia Tobin, AICP
Director of Planning and Zoning
City of Port St. Lucie
121 S.E. Port St. Lucie Boulevard
Port St. Lucie, Florida 34984

Subject: **Gatlin Plaza – PUD Modification #3**

Dear Ms Tobin:

This letter is to serve as our required letter confirming that BDG Port St. Lucie, LLC, retains Unified Control of the Gatlin Plaza PUD planning documents and as such remains in compliance with the City of Port St. Lucie Zoning Regulations for such matters.

Should you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,

BDG Port St. Lucie, LLC


Jonathan E. Cohen
Managing Member

JEC:lmc

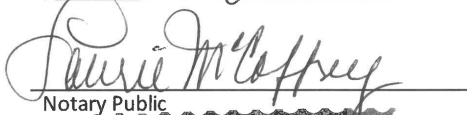
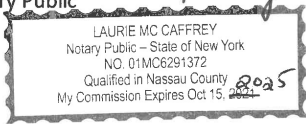
(C:\gatl\lmc\BDG Port St. Lucie, LLC\Planning\Unified Control\BDG PORT ST. LUCIE UNIFIED CONTROL LETTER.docx)

**CITY OF PORT ST. LUCIE
AMENDED BINDING
PLANNED UNIT DEVELOPMENT (PUD)
AGREEMENT**

PROJECT NAME **GATLIN PLAZA I PUD**
LEGAL DESCRIPTION **SEE EXHIBIT 1B**

I HEREBY DECLARE THAT, The Gatlin Plaza I PUD as described herein is under unified control and hereby agree to proceed with the proposed PUD development according to the provisions of the City of Port St. Lucie zoning regulations and conditions as may be attached to the zoning of the land to PUD. In addition, I will provide agreements, contracts, deed restrictions and such relevant securities as may be required by the City for completion of the development according to the design parameters approved at the time of rezoning to PUD, and also agree to provide continuing operation and maintenance of such areas, functions, and facilities as are not to be provided, operated or maintained at public expense. In addition, I agree to bind all successors in title to any commitments made hereunder in this paragraph.

Sworn to and subscribed before me this
17th day of October 2023.


Notary Public


BDG PORT ST. LUCIE, LLC

By: 
Jonathan E. Cohen
Managing Member

GATLIN PLAZA CONDOMINIUM ASSOCIATION INC
by: BDG Port St Lucie LLC as Developer
Jonathan E. Cohen
Managing Member

My Commission expires:

***** FOR STAFF USE ONLY*****

Date Received: _____

Planning Dept No: _____

Ordinance Number: _____

Date Checked: _____

EXHIBIT 4

GENERAL STANDARDS FOR DISTRICT ESTABLISHMENT

The overall size of the Gatlin Plaza site is 91.07 acres, more or less, which exceeds~~ing~~ the 2-acre minimum requirement for the establishment of a Planned Unit Development ~~within~~ the City of Port St. Lucie.

The Gatlin Plaza site is located in the southeast quadrant of the Interstate 95 (I-95) interchange with Gatlin Boulevard, ~~within~~ the City of Port St. Lucie. Access to the property is via the ~~southern~~ extension of ~~the intersection of~~ Brescia Street, south of Gatlin Boulevard into the project development site ~~with Brescia Street~~. A full median opening currently exists at the intersection of Brescia Street and Gatlin Boulevard allowing for full access to the site.

Gatlin Plaza PUD will have a stormwater management system that will meet all requirements of the City of Port St. Lucie and the South Florida Water Management District. Stormwater outfall shall be to the existing Port St. Lucie Southwest Basin drainage system through the Portofino Isles Development.

Gatlin Plaza PUD will continue to be supplied/served with potable water and wastewater services by the City of Port St. Lucie Utility Systems Department (PSLUD) and will abide by and comply with all applicable City Ordinances, policies, specifications and regulatory agencies governing such service. Furthermore, the development will accept reclaimed water for irrigation from the PSLUSD when it becomes available to the property.

The pre-development physical characteristics of the Gatlin Plaza PUD can be described as approximately 91.07 acres of pine forest with scattered wetlands.

This PUD application is consistent with the City of Port St. Lucie Comprehensive Land Use Plan.

~~The proposed development plan for the Gatlin Plaza PUD (as revised through PUD modification #2) includes approximately 397,050 square feet of building area for proposed Tracts C, D and E. Tract B is specifically reserved for future use and will not have part of the proposed development square footage located within its boundaries. All on-site parking shall conform to the provisions of Section 158.221, of the City Code of Ordinances, as may be amended from time to time. Since Tracts C and E of the Gatlin Plaza are not proposed for further subdivision into individual use tracts for sale to others, Tracts C and E, shall collectively account for all of the required parking for this development. The specific parking fields for the individual uses within the Gatlin Plaza PUD will be depicted on the individual final site plan, or plans, for this area.~~

The proposed development intensity in the revised Gatlin Plaza PUD will bring the total on-site development opportunity square footage to approximately 750,000 square feet of building area, to be spread over development Tracts B1, C, D and E. All on-site parking shall conform to the provisions of Section 158.221, of the City Code of Ordinances, as may be amended from time to time. Specific parking fields for the individual uses within the Gatlin Plaza PUD area will be depicted on the individual site plans, for this area.

[go to next page]

EXHIBIT 5 SITE INFORMATION

I. TOTAL ACREAGE: 91.07 Acres

II. WETLANDS TO BE IMPACTED

The Gatlin Plaza site contains a total of 23.48 acres of jurisdictional wetlands. In 2006, mitigation credits for the elimination of these wetlands were acquired from, and into, the Bluefield Mitigation Bank in southwestern St. Lucie County. These mitigated wetlands will be removed as part of the final development plans for this property.

III. DEVELOPMENT AREA

				<u>% of project site</u>
GROSS PROJECT SITE:	91.068 <u>91.07</u>	acres	3,966,922 sf	100 %
NET DEVELOPMENT AREA	45.5 <u>79.21</u>	acres	1,981,980 <u>3,450,562</u> sf	100 <u>87</u> %

Net development area includes all of Tracts C, D and E of the plat for the Gatlin Plaza PUD and that portion of Tract B2 as described in this PUD. ~~There are no proposed development plans for the area depicted as Tract B on the Gatlin Plaza PUD. It does not include the site conservation tract or the site stormwater tract.~~

	<u>Acres</u>		<u>Sq Feet</u>		<u>% of Project Site</u>
Tracts C, D & E	45.50	acres	1,983,722	sf	100 %
IMPERVIOUS AREAS					
Building/Retail Floor Area	9.12 <u>17.22</u>	 acres	397,050 <u>750,000</u>	 sf	20 <u>19</u> %
Parking/ Access Aisles	27.10 <u>53.95</u>	 acres	1,180,513 <u>2,350,000</u>	 sf	59 <u>52</u> %
PERVIOUS OPEN SPACE AREAS					
Open Space/ Landscape	9.35 <u>8.84</u>	acres 	404,386 <u>689,990</u>	sf <u>sf</u>	20 <u>10</u> %
Conservation Tract	<u>4.06</u>		<u>177,028</u>		<u>4</u> %
Lakes (Water Surface)	<u>7.00</u>		<u>304,920</u>	<u>sf</u>	<u>8</u> %
Tracts B	45.5	acres	1,983,287	sf	100 %

(Note: Totals may not equal 100% due to Rounding)

IV. PARKING REQUIRED

All on-site parking shall conform to the provisions of Section 158.221, of the City Code of Ordinances, as may be amended from time to time. ~~Since Tracts C and E of the Gatlin Plaza are not proposed for further subdivision into individual use tracts for sale to others, Tracts C and E, shall collectively account for all of the required parking for this development.~~ The specific parking fields for the individual uses within the Gatlin Plaza PUD will be depicted on the individual final site plan, or plans, for this area

V. MAXIMUM BUILDING HEIGHT

Except as provided for under Section 158.215, of the City Code of Ordinances, as may be amended from time to time, the maximum building height (excluding signs) within the Gatlin Plaza PUD is 50 feet.

VI. NATIVE HABITAT

The Gatlin Plaza site contains a total of 91.07 acres of native upland & wetland habitat, of which 16.90 acres (uplands only) is required for preservation (25%). Since on-site preservation is not a viable option, the project will provide for the preservation/acquisition of 25.35 acres of native habitat in an off-site location, subject to the approval of the City, or will contribute to the City's Habitat Preservation Fund or, with the approval of the City, some combination of both provided that area or value of the mitigation is equal to at least 25.35 acres. Upland mitigation breakdown per Tract as follows:

		Tract						Tract C	Tract D	Tract E	Total
	B	<u>B2-1</u>	<u>B2-2</u>	<u>B2-3</u>	<u>B2-4</u>	<u>B2-5</u>	<u>ROW</u>				
base site	45.53	<u>7.99</u>	<u>13.61</u>	<u>5.23</u>	<u>4.64</u>	<u>10.81</u>	<u>1.35</u>	22.75 <u>23.50</u>	3.40 <u>3.80</u>	19.30 <u>20.14</u>	91.068
wetland areas	19.23	<u>2.10</u>	<u>4.52</u>	<u>1.54</u>	<u>1.54</u>	<u>.44</u>	<u>.44</u>	3.69	0.28	0.28	23.48
net upland areas	26.30	<u>5.69</u>	<u>8.89</u>	<u>3.49</u>	<u>2.90</u>	<u>.73</u>	<u>.73</u>	19.06	3.13	19.11	67.59
25% requirement	6.58	<u>1.42</u>	<u>2.22</u>	<u>.87</u>	<u>.72</u>	<u>.18</u>	<u>.18</u>	4.77	0.78	4.78	16.90
Off-site mitigation	9.86	<u>2.13</u>	<u>3.33</u>	<u>1.31</u>	<u>1.08</u>	<u>.27</u>	<u>.27</u>	7.15	1.17	7.16	25.35

(Note: Totals may not Equal 100% due to Rounding)

VII. PROPOSED DENSITY/INTENSITY

The City Code allows for a maximum of 80% impervious area, and 40% building coverage. ~~Tract B is reserved for future use.~~ Tracts B2 (including all subtracts), C, D & E combined impervious coverage shall not exceed 80% of the combined areas of Tracts B2 (including all subtracts), C, D & E. Tracts B2 (including all subtracts), C, D & E combined building coverage shall not exceed 40% of the combined areas of Tracts B2 (including all subtracts), C, D and E.

EXHIBIT 6

PROPOSED DEVELOPMENT STANDARDS

1. GENERAL THEME AND USES

The Gatlin Plaza PUD (“Project”) is a planned commercial shopping center development located at the southeast corner of I-95 and Gatlin Boulevard. The total site area for the Project is 91.07 acres [\(more or less\)](#) and will include approximately ~~a total of 397,050~~ [750,000](#) square feet of gross building floor space spread throughout several buildings on Tracts [B2 \(including all subtracts\)](#), C, D & E. ~~Tract B is reserved for future use.~~ [This 750,000 maximum gross floor area includes the option to have up to 120 hotel units, thus reducing the maximum commercial square footage by an equivalent impact. The equivalent impact will be based on projected trip generation impacts.](#)

2. IMPLEMENTATION

The Project is consistent with the City’s Comprehensive Growth Management Plan (“Comprehensive Plan”), including the future land use map adopted therein. A detailed site plan, landscape plan and engineering plan, in conformance with the requirements of the City’s Comprehensive Plan and Land Development Regulations (“LDRs”) and the requirements established herein shall be submitted for review and approval prior to construction of any portion of the Project. If outparcels are to be conveyed in fee simple, then a subdivision plat shall be submitted for review and approval in accordance with Chapter 156, LDRs, prior to conveyance of any individual lot to a third party other than a governmental entity.

3. PERMITTED USES

Permitted uses within the Gatlin Plaza PUD shall include all ‘permitted uses’ in the General Commercial (CG), Highway Commercial (CH) and Service Commercial (CS) zoning districts shall be allowed, including Drive-Thru Drug Store and Gas Station uses. The only exceptions to this identification of allowed uses are those uses listed under the Special Exception Uses for the CG, CH, and CS zoning districts, unless specifically stated herein.

As part of an otherwise permitted retail sales operation/activity within the Gatlin Plaza II PUD, accessory activities involving the sale, rental, and/or display (including outdoor sales, rentals, and/or display) of boats, watercraft, recreational vehicles, off-road vehicles, all-terrain vehicles, and other outdoors related vehicles and equipment shall be permitted, provided that any outdoor sales/rental/display area for such uses does not encroach into, or otherwise occupy, any required parking area, unless it is shown to the satisfaction of the City that any areas of encroachment or occupancy will not create any undue parking conditions for the primary retail sales operation/activity. For avoidance of doubt, nothing in this paragraph shall be construed as altering or affecting in any way any covenant, easement, or restriction applicable to the Project and recorded in the Public Records of St. Lucie County, Florida, as such covenants, easements, and/or restrictions, if any, may be amended from time to time.

4. DESIGN STANDARDS

The [Gatlin Plaza PUD](#) Project [\(the Project\)](#) shall be designed according to the minimum design standards for commercial projects [as](#) set forth in the [City Land Development regulations \(LDRs\)](#) and in the City of

[Underline](#) is for addition to base document PUD Amendment #3 (P15-093)

[Strike through](#) is for deletion to base document PUD Amendment #3 (P15-093)

Port St. Lucie Citywide Design Standards (“Design Standards”) as they exist on the date ~~the~~ this PUD zoning district is approved, unless modified herein in which case the minimum design standards to be applied shall be as set forth below.

- A. ~~This~~ The Project shall have vehicle access via a two separate access locations. The main access point being along Gatlin Boulevard, which shall be designed to be across from the existing intersection of Gatlin Boulevard and Brescia Street, ~~and~~ the Projects secondary access point at the extension of Hayworth Avenue into the site. The main Project access location at Gatlin Boulevard and Brescia Street will be signalized, with the appropriate roadway improvements as dictated by the Project.
- B. The Project will be supplied with water and wastewater services by the City of Port St. Lucie Utility Systems Department and will abide by and comply with all applicable City ordinances, policies, specifications, and regulatory agencies governing such service.
- C. The Project is located along the I-95 corridor with a total frontage along I-95 of just over 4,500 feet. The project frontage along Gatlin Boulevard is approximately 860 feet. The I-95 frontage includes the entire northbound exit ramp to Gatlin Boulevard. This frontage buffer will meet or exceed the 20-foot buffer required along Gatlin Boulevard. Approximately 120 feet of the Gatlin Boulevard frontage will be used for the entrance road to the Project.
- D. The Project will provide certain off-site transportation related improvements. The improvements include:
 - i. the signalization and accompanying intersection improvements at both the intersection of Gatlin Boulevard & Brescia Street, and the western I-95 ramps & Gatlin Boulevard; and,
 - ii. the improved roadway connection of Hayworth Avenue into the Project site; ~~and,~~
 - iii. The provision of pavement overlay, new pavement markings and enhanced turning radii along Edgarc Street, Hayworth Avenue, and Fondura Avenue.
 - iv. A signal warrant study will be provided concurrent with the Construction Plan submittal for the project for the eastern I-95 ramp intersection with Gatlin Boulevard, and the appropriate warranted improvements will be provided.

NOTE (MAY 2025):

The above cited improvements are associated with the initial phases of development for the Gatlin Plaza PUD. Though the adoption of the 4th Amendment to the Gatlin Plaza PUD these improvements/ obligations have been deemed complete and satisfied. As part of the 4th Amendment to the Gatlin Plaza PUD, the following transportation related improvements are determined to be required:

1. Prior to the issuance of any building or site development permits (excluding mass grade permits), collectively authorizing more than 400,000 square feet of commercial space in the Gatlin Plaza PUD, the developer shall provide, or cause to provide through the execution of an approved development agreement or equivalent order, the following transportation network improvements:
 - a. Intersection of Gatlin Boulevard & Brescia Street:
 - i. Convert the northbound approach to this intersection (Brescia Street) to 2 left-turn lanes and 1 shared through/right-turn lane.

- ii. Extend shared through/right-turn lane approximately 160 feet from current position to approximate access drive at Home Depot site.
 - iii. Provide for necessary Signal Head and Signal Adjustments to support this restriping improvement and lane adjustment.
 - b. Intersection of Fondura Street and Gatlin Boulevard:
 - i. Add northbound right turn lane.
 - ii. Provide for necessary Signal Head and Signal Adjustments to support this lane addition.
 - c. East side Driveway 2 & Hayworth Avenue:
 - i. Convert the intersection of the Gatlin Plaza Internal Access Drive with Hayworth Avenue to an 'All-Way' stop controlled intersection.
 - ii. Improve sight-triangle visibility at intersection.
 - d. Intersection of Hayworth Avenue & Edgarce Street:
 - i. Restripe the Hayworth Avenue & Edgarce Street intersection to provide for enhanced traffic operation visibility.
 - ii. Remove stop signs for Hayworth Avenue, allowing for free flow movement along Hayworth Avenue.
- 2. Prior to the issuance of any building or site development permits (excluding mass grade permits), collectively authorizing more than 600,000 square feet of commercial space in the Gatlin Plaza PUD, the developer shall provide, or cause to provide through the execution of an approved development agreement or equivalent order, the following transportation network improvements:
 - a. Gatlin Boulevard & Brescia Street:
 - i. Installation of second, eastbound left-turn lane (to northbound Briscia). This improvement will require the addition of new receiving lane on NB Briscia.
 - ii. Signal adjustments at the intersection Gatlin Boulevard & Briscia street in support of the additional left turn lane.
- E. All Project Advertising signs will adhere to the Master Sign Program for Gatlin Plaza PUD.
- F. Stormwater treatment for Tracts B2 (including all subtracts), C, D and E shall be provided for via a combination of wet, dry detention and exfiltration systems located throughout the Gatlin Plaza PUD development area. ~~within Tracts C and E. All stormwater systems will be designed to comply with applicable City and SFWMD stormwater standards. Overall stormwater outfall from the Gatlin Plaza PUD Outfall shall be thru Tract B into the Port St. Lucie Southwest Basin drainage system. Tract B individually shall provide for its own stormwater treatment with outfall to the Port St. Lucie Southwest Basin drainage system.~~
- G. On site or off site mitigation, as approved by the South Florida Water Management District ("SFWMD"), shall be provided for those wetland areas impacted by the Project. If such mitigation satisfies SFWMD requirements, then such mitigation shall be deemed to satisfy all ~~LDR~~ requirements of the City Land Development Regulations and Comprehensive Plan.

- H. The maximum building height within the [Gatlin Plaza](#) Project shall be fifty (50) feet.
- I. All on-site parking shall conform to the provisions of Section 158.221, of the City Code of Ordinances, as may be amended from time to time. ~~Since Tracts C and E of the Gatlin Plaza are not proposed for further subdivision into individual use tracts for sale to others,~~ Tracts [B2 \(including all subtracts\)](#), C and E, shall collectively account for all of the required parking for this development. The specific parking fields for the individual uses within the Gatlin Plaza PUD will be depicted on the individual final site plan, or plans, for this area
- J. Building setbacks for the Project shall be as follows:
- Front setback:

Along Gatlin Boulevard and I-95:	25 Feet
Along interior property lines /right-of-ways:	0 <u>25</u> Feet
<u>Along interior property lines:</u>	<u>0 Feet</u>
 - Side Setback: 10 Feet
 - Rear Setback: 15 Feet
 - Building Separation: 15 Foot-Minimum
 - Minimum Parcel Size: 20,000 sf
- Landscaping requirements for Tracts [B2 \(including all subtracts\)](#), C, D and E combined will, at a minimum, meet all required City codes, except for the following. The perimeter landscaping buffer along the northeast corner of the property (behind Home Depot) has been determined to conflict with a City required utility easement that is located in this same area. There is not sufficient width in the remaining landscape area along this property line to simply move the required trees out of the way and maintain the minimum tree density along this portion of the property line. The required trees shall be relocated to other areas of the sites landscaping designs.
- In the event that a minimum ten foot (10') wide landscape strip cannot be maintained along all interior tract boundaries, the square footage that cannot be accommodated along these interior tract lines shall be relocated to other areas of the Gatlin Plaza PUD and these areas shall be identified on the final site plans for this property. The developer may locate all or portions of any landscaping relocated in accord with the provisions of this paragraph to the perimeter landscape areas of this property so long as the minimum perimeter landscape buffers are first provided and then any relocated landscaping area would serve as a supplemental width to this areas.
- Except as noted above, the combined landscaping needs of Tract [B2 \(including all subtracts\)](#), C, D and E shall provide for the individually required landscaping for each Tract respectively. ~~Any future developments of Tract B individually shall provide for landscaping as required by City codes.~~
- L. The placement and number of all bicycle racks and bus shelters within the Gatlin Plaza PUD will be coordinated with the City in accordance with applicable City codes and the local Transit Standards as a part of the site plan review process.
- M. Pedestrian and vehicular access for all Tracts will be provided for through Tract D.

EXHIBIT 7a
PROPERTY DEEDS

WARRANTY DEED

January 2004

Return to: 31
Mendel, Weisman, Heimberg
2101 Corporate Blvd #300
Boca Raton, FL 33431
THIS INSTRUMENT PREPARED BY
AND RETURNED TO:
PETER L. BRETON, ESQUIRE
POST OFFICE BOX 3888
WEST PALM BEACH, FL 33402

Property Control Number:
4315-113-0001-000-3

WARRANTY DEED

THIS INDENTURE, made as of this 14th day of JANUARY, 2005, between **ULLRICH D. SCHULZE**, whose post office address is c/o John F. Manigan, Esq., 625 North Flagler Drive, 9th Floor, West Palm Beach, Florida 33401 ("Grantor") and **BDG OF HAUPPAUGE, LLC**, a New York limited liability company, having an address at 300 Robbins Lane, Syosset, New York 11791 ("Grantee").

WITNESSETH: That said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable considerations to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, and Grantee's successors and assigns forever, the following described land, situate, lying and being in St. Lucie County, Florida, to-wit (the "Property"):

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER WITH (a) all tenements, hereditaments, air rights, strips, gores, privileges, appurtenances, rights, easements and rights of way, if any, benefitting the Property, and (b) all rights of Grantor, if any, in and to any streets, roads, sidewalks, alleys and land lying in the bed of existing or proposed streets adjacent to the Property.

SUBJECT, HOWEVER, TO the matters set forth on Exhibit "B" attached hereto and made part hereof (the mention of which is not intended to reimpose the same).

EDWIN M. FRY, Jr., CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 2543251 01/24/2005 at 11:02 AM
OR BOOK 2143 PAGE 2967 - 2971 Doc Type: DEED
RECORDING: \$44.00
D DOC STAMP COLLECTION: \$39610.20

THE PROPERTY IS VACANT COMMERCIAL LAND AND IS NOT THE HOMESTEAD OF THE GRANTOR HEREIN.

and Grantor does hereby fully warrant the title to said lands, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered
in our presence

(1) Claudia Walliser
Print Name: CLAUDIA WALLISER

ULLRICH D. SCHULZE

(2) Elke Paulsen
Print Name: Elke Paulsen
(TWO WITNESSES REQUIRED)

FEDERAL REPUBLIC OF GERMANY

The foregoing instrument was acknowledged before me, Hans-Werner Dr. Umbreit
[name of official], a Notary Public [title of official], this 7th day of
January, 2005, by ULLRICH D. SCHULZE, who:
_____ is personally known to me, OR
_____ has produced his identification card as identification.

Hans-Werner Dr. Umbreit
Signature of Official

Title of Official: Notary Public

(STAMP OR SEAL OF OFFICIAL)



2

EXHIBIT "A"

The Southern portion of an original 90.417 acre parcel of land situated in the East ½ of Section 15, Township 37 South, Range 39 East, and in a portion of the West ½ of Section 14, Township 37 South, Range 39 East, being a part of Tract D, Port St. Lucie, Section 31, according to the plat thereof, as recorded in Plat Book 14, Page 22, of the Public Records of St. Lucie County, Florida, lying Easterly of Interstate 95 and Southerly of Gatlin Boulevard, and being situated in Section 14 and 15, Township 37 South, Range 39 East, and being geometrically described as follows:

Commencing at a point (POC) being a nail and disc in position at the Northeast corner of Section 15, Township 17 South, Range 39 East, St. Lucie County, Florida, run thence from said POC South 00°04'16" East along the East line of said Section 15 a distance of 94.96 feet to the South right-of-way line of Gatlin Boulevard; thence, continue South 00°04'16" East along the East line of Section 15, a distance of 1,026.41 feet to the Point of Beginning (POB); thence, leaving the East line of said Section 15, run North 88°12'28" East a distance of 379.11 feet to a point on the Westerly right-of-way line of Edgrace Street; thence run South 00°02'43" East along the Westerly right-of-way line of said Edgrace Street, a distance of 60.03 feet; thence leave the Westerly right-of-way line of said Edgrace Street run South 88°12'28" West a distance of 379.08 feet to a point on the East line of Section 15; thence, run South 00°04'16" East along the East line of said Section 15 a distance of 1,431.58 feet to the East ¼ corner of said Section 15; thence, run South 00°09'21" East along the East line of said Section 15 a distance of 2,288.94 feet to a point on the Easterly limited access right-of-way line of Interstate 95, said point being North 00°09'21" West a distance of 368.51 feet from the Southeast corner of said Section 15; thence, run North 22°34'24" West a distance of 1,495.48 feet to a point of curvature of a curve concave to the Northeast having a radius of 24,381.33 feet; thence, run Northwesterly along said curve through a central angle of 03°23'16", an arc distance of 1,441.66 feet to a point; thence, run North 14°52'06" West a distance of 518.49 feet; thence, run North 08°28'08" West a distance of 404.79 feet; thence, run North 04°19'48" East a distance of 34.26 feet; the last described five courses being along the Easterly limited access right-of-way line of Interstate 95; thence North 89°55'48" East a distance of 1,189.94 feet; thence, run North 00°04'16" West a distance of 113.21 feet; thence, run North 88°12'28" East a distance of 80.04 feet to the Point of Beginning.

EXHIBIT "B"

PERMITTED EXCEPTIONS

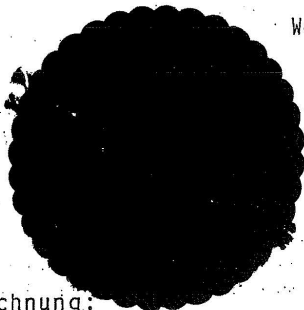
1. All assessments and taxes for 2005 and all subsequent years.
2. Easement in favor of Florida Power & Light Company dated August 19, 1957, recorded Deed Book 233, Page 699, Public Records of St. Lucie County, Florida.
3. Conditions, easements and reservations as set forth in the Warranty Deed recorded June 11, 1965, in Official Records Book 120, Page 202, Public Records of St. Lucie County, Florida.
4. Reservation of Easement and Restrictions set forth in the Warranty Deed recorded October 14, 1985 in Official Records Book 479, Page 998 Public Records of St. Lucie County, Florida.
5. Development of Regional Impact Scheduling Agreement dated February 10, 1978, and amended August 26, 1985, between General Development Corporation and the Florida Division of State Planning (as Master Plan has been filed pursuant to said Agreement), all as set forth in the Special Warranty Deed recorded in Official Records Book 568, Page 237; also as set forth in the Warranty Deed recorded in Official Records Book 568, Page 245 all of the Public Records of St. Lucie County, Florida.
6. Easements as set forth on the Plat of PORT ST. LUCIE SECTION THIRTY ONE, according to the Plat thereof, as recorded in Plat Book 14, Page 22A Public Records of St. Lucie County, Florida.
7. The land being insured abuts Interstate 95 (I-95) on its Westerly boundary and said I-95 is a limited access highway and no rights of ingress or egress exist onto said I-95.
8. Covenants as set forth in the Owner's Affidavit and Covenant recorded in Official Records Book 1659, Page 2258, Public Records of St. Lucie County, Florida.
9. Conditions and restrictions as set forth in the Affidavit of Waiver recorded in Official Records Book 1659, Page 2264, Public Records of St. Lucie County, Florida.

Nr. 13 der Urkundenrolle für 2005

Ich beglaubige die heute vor mir auf der zweiten Seite vollzogene Unterschrift des Herrn Ullrich Dieter Gert Schulze, geb. am 4.11.1943, in 65191 Wiesbaden Haideweg 25 wohnhaft, ausgewiesen durch Personalausweis Nr. 2256264889D.

Die Frage nach einer Vorbefassung im Sinne des § 3 I 1 Nr. 7 BeurkG war verneint worden.

Westerland, den 7. Januar 2005



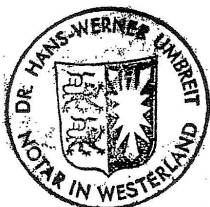
[Signature]
Notar

Kostenrechnung:

Wert: 50.000,00 Euro
Gebühr nach §§ 32, 45 KostO
Umsatzsteuer 16 %

33,00 Euro
5,28 Euro

38,28 Euro
=====



[Signature]
Notar

EXHIBIT 7b
PROPERTY DEEDS

SPECIAL WARRANTY DEED

November 2003

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT – SAINT LUCIE COUNTY
File Number: 2309060 OR BOOK 1847 PAGE 2053
Recorded: 11/20/03 11:28

Prepared by and Return to:
David R. Woods
Woods & Woods, P.A.
612 East Colonial Drive, Ste. 190
Orlando, Florida 32803

* Doc Assump: \$ 0.00
* Doc Tax : \$ 45,500.00
* Int Tax : \$ 0.00

Property Appraisers Parcel
Identification Numbers: 4315-111-0002-000/4

SPECIAL WARRANTY DEED

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

THIS INDENTURE, made this 14th day of November, 2003, between **DARYL M. CARTER**, as **Trustee** under the provisions of an unrecorded land trust agreement dated January 31, 2003, of the County of Orange, State of Florida, and known as the **CARTER-ST. LUCIE RIVER LAND TRUST**, pursuant to Section 689.071, Florida Statutes, with full power and authority to protect, conserve and to sell, or to lease or to encumber, or to otherwise manage and dispose of property, hereinafter described, as "Grantor", and as party of the first part, and **BDG of HAUPPAUGE, LLC**, a New York limited liability company, whose post office address is: 6800 Jericho Turnpike, Syosset, New York 11791-4498, as "Grantee", and as party of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the sum of ten dollars (\$10.00) in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, its successors and assigns forever, the following described land, situate, and being in the County of St. Lucie, State of Florida, to wit:

See attached **Exhibit "A"**

which is hereafter referred to as "the Property")

together with all easements and other rights appurtenant thereto.

Grantor certifies that on the date of execution, delivery and recordation of this instrument, no individual Grantor, beneficiary of a Grantor trust, or the family of a beneficiary of a Grantor trust resided upon any portion of the Property, or any property contiguous thereto. The Property is not the constitutional homestead of the Grantor.

The Grantor by this deed does hereby warrant the title, in and to the Property and will defend the same against the lawful claims of all persons claiming by, through or under the parties of the first part, but against no others. "Grantor," "Grantee," "Land Trustee" and "Beneficiary" are used for singular or plural, as context requires.

E:\CarterLandTrust\Carter-St. Lucie\st BDG\ClosingDocs\SpWarDeed.wpd


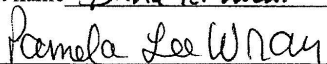
Page 1 of 2

OR BOOK 1847 PAGE 2054


IN WITNESS WHEREOF, the said party of the first part, has hereunto set his hands and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

WITNESSES:

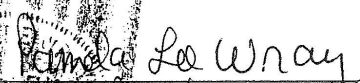

Print name David R. Woods

Print name Pamela Lee Wray

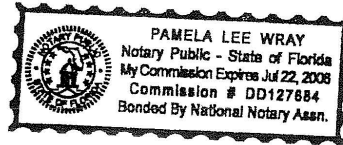
GRANTOR:


Daryl M. Carter, as Trustee of the
Carter-St. Lucie Land Trust

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 14th day of November, 2003, by Daryl M. Carter, as Trustee, who is personally known to me and who did take an oath.


Print name Pamela Lee Wray
Notary Public, State of Florida
My commission expires: 07/22/06



OR BOOK 1847 PAGE 2055

EXHIBIT “A”

The Northern portion of an original 90.417 acre parcel of land situate in the East Half of Section 15, Township 37 South, Range 39 East, lying Easterly of Interstate 95 and Southerly of Gatlin Boulevard, and an adjoining .172 acre portion of land in Section 14, Township 37 South, Range 39 East, and being geometrically described as follows:

Commencing at a point (P.O.C.) being a nail and disc in pavement at the Northeast corner of Section 15, Township 37 South, Range 39 East, St. Lucie County, Florida, run thence from said P.O.C. South 00 degrees 04 minutes 16 seconds East along the East line of said Section 15, a distance of 94.96 feet to the South right of way line of Gatlin Boulevard and the POINT OF BEGINNING (P.O.B); thence run Northeasterly with said right of way along a non-tangent curve to the right through a central angle of 0 degrees 04 minutes 29 seconds; an arc distance of 30.00 feet, a chord bearing and distance of North 88 degrees 47 minutes 18 seconds East, 30.00 feet to a point; thence leaving said right of way line of Gatlin Boulevard, and run South 00 degrees 04 minutes 16 seconds East, a distance of 250.60 feet to a point; thence run South 89 degrees 55 minutes 44 seconds West, a distance of 30.00 feet to a point on the East line of Section 15; thence run South 00 degrees 04 minutes 16 seconds East along said East line of Section 15, a distance of 776.41 feet to a point; thence leaving said Section line run South 88 degrees 12 minutes 28 seconds West a distance of 80.04 feet; thence run South 0 degrees 04 minutes 16 seconds East, a distance of 113.21 feet; thence run South 89 degrees 55 minutes 48 seconds West, a distance of 1189.94 feet to a point on the Easterly limited access right of way line of Interstate 95; thence run North 04 degrees 19 minutes 18 seconds East a distance of 370.53 feet to a point; thence run North 10 degrees 43 minutes 46 seconds East, a distance of 220.25 feet; thence run North 13 degrees 28 minutes 39 seconds East, a distance of 248.03 feet; thence run North 32 degrees 02 minutes 11 seconds East, a distance of 213.88 feet; thence run North 69 degrees 09 minutes 13 seconds East, a distance of 213.88 feet; thence run North 84 degrees 54 minutes 10 seconds East, a distance of 628.35 feet to a point; the last described six (6) courses being along the Easterly limited access right of way line of Interstate 95; thence run Easterly along a curve concave to the North having radius of 23,018.31 feet, said curve being the South right of way line of Gatlin Boulevard, an arc distance of 202.55 feet, a chord bearing of North 89 degrees 04 minutes 40 seconds East and a chord distance of 202.55 feet to the POINT OF BEGINNING.

Underline is for addition to base document PUD Amendment #3 (P15-093)

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EXHIBIT 8
BINDING P.U.D. AGREEMENT

CITY OF PORT ST. LUCIE
AMENDED BINDING
PLANNED UNIT DEVELOPMENT (PUD)
AGREEMENT

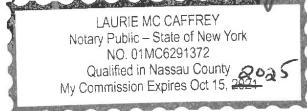
PROJECT NAME **GATLIN PLAZA I PUD**
LEGAL DESCRIPTION **SEE EXHIBIT 1B**

I HEREBY DECLARE THAT, The Gatlin Plaza I PUD as described herein is under unified control and hereby agree to proceed with the proposed PUD development according to the provisions of the City of Port St. Lucie zoning regulations and conditions as may be attached to the zoning of the land to PUD. In addition, I will provide agreements, contracts, deed restrictions and such relevant securities as may be required by the City for completion of the development according to the design parameters approved at the time of rezoning to PUD, and also agree to provide continuing operation and maintenance of such areas, functions, and facilities as are not to be provided, operated or maintained at public expense. In addition, I agree to bind all successors in title to any commitments made hereunder in this paragraph.

Sworn to and subscribed before me this
17th day of October 2023.

BDG PORT ST. LUCIE, LLC


Notary Public



By: 
Jonathan E. Cohen
Managing Member

GATLIN PLAZA CONDOMINIUM ASSOCIATION INC
by: BDG Port St Lucie LLC as Developer
Jonathan E. Cohen
Managing Member

My Commission expires:

***** FOR STAFF USE ONLY*****

Date Received: _____

Planning Dept No: _____

Ordinance Number: _____

Date Checked: _____

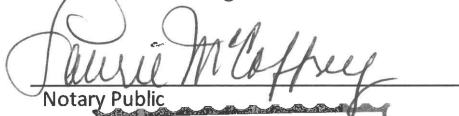
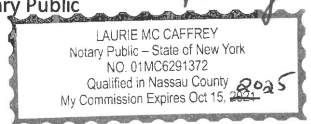
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By: 
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by: BDG Port St Lucie LLC as Developer
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My Commission expires:

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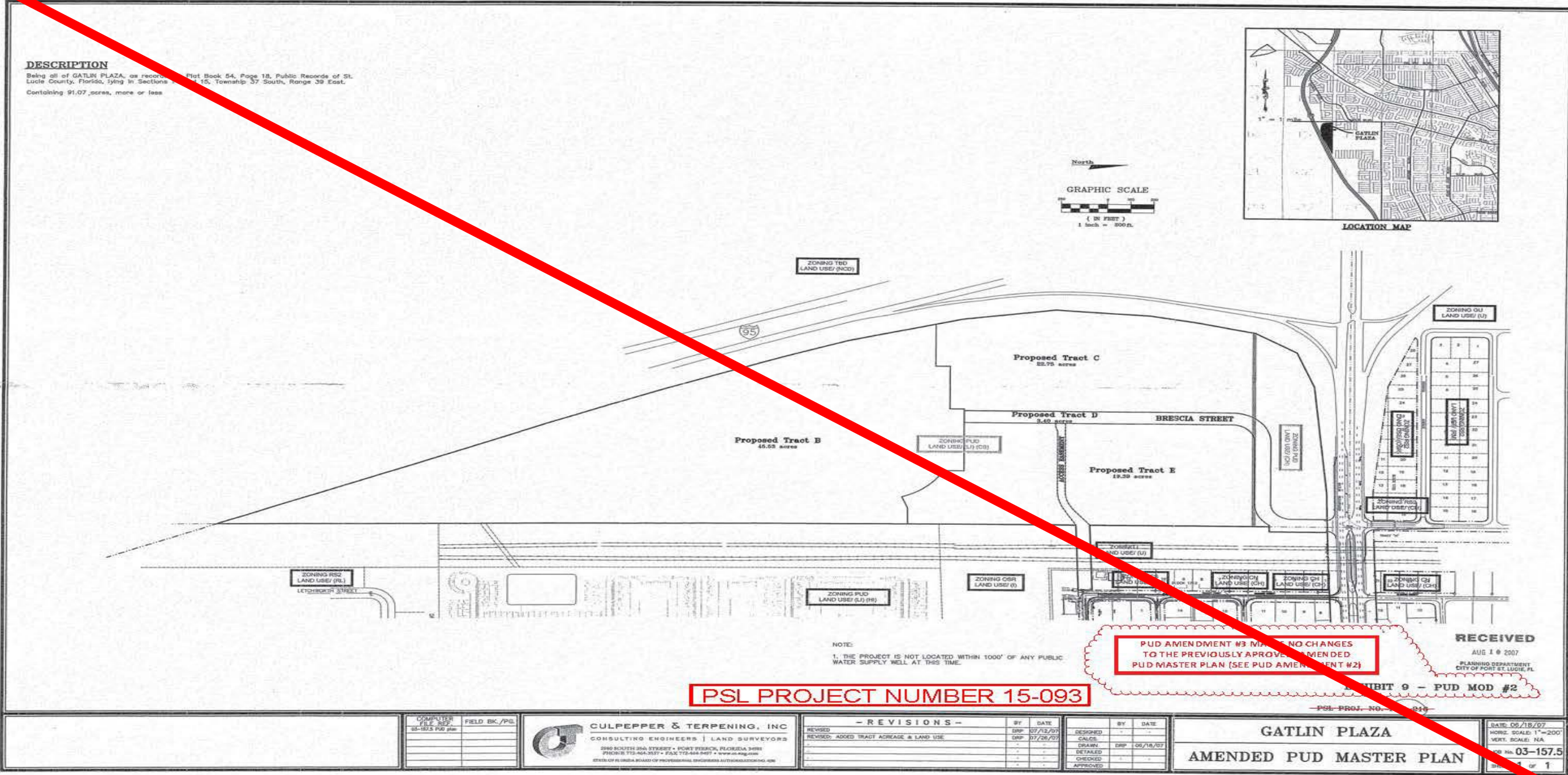
Planning Dept No: _____

Ordinance Number: _____

Date Checked: _____

EXHIBIT 9

**PUD
MASTER PLAN**



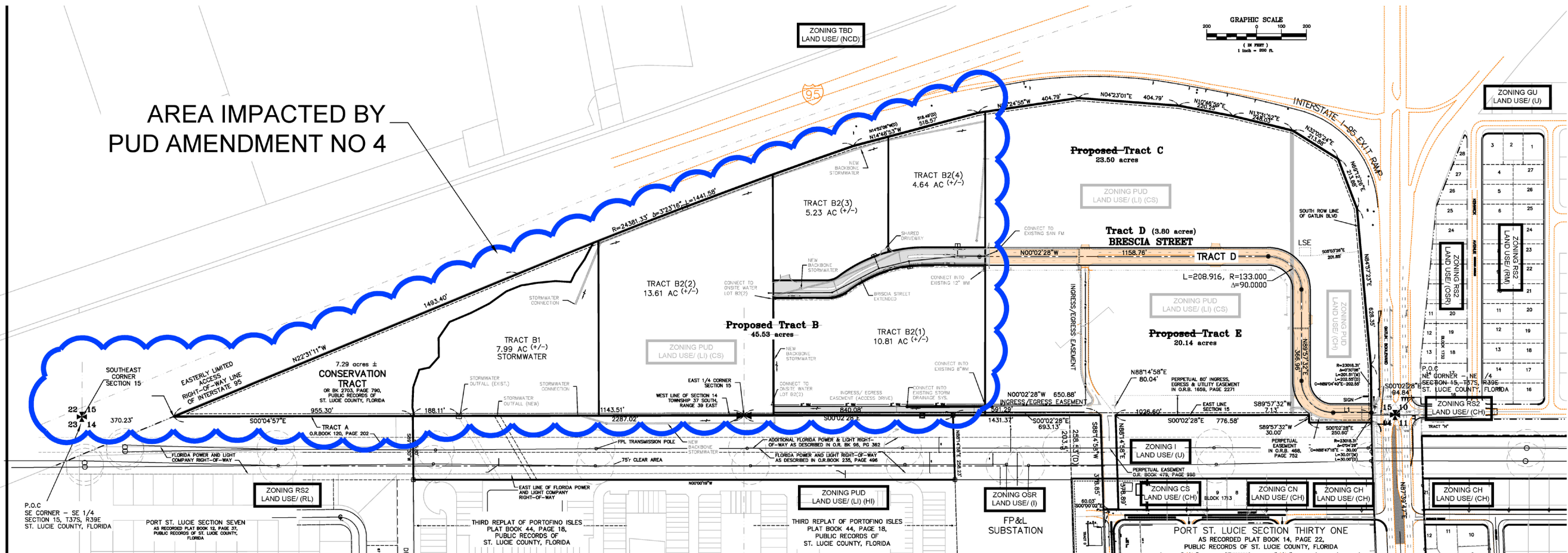
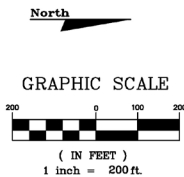
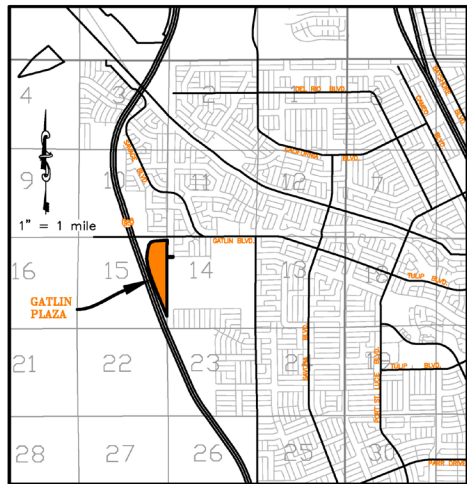
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LEGAL DESCRIPTION

Being all of Gatlin Plaza, as Recorded in Plat Book 54, Page 18, Public Records of St. Lucie County, Florida, lying in Sections 14 and 15, Township 37 South, Range 39 East.

Containing 91.067 acres, more or less.



NOTE:

1. THE PROJECT IS NOT LOCATED WITHIN 1000' OF ANY PUBLIC WATER SUPPLY WELL AT THIS TIME.
2. ALL PARCEL SIZES ARE APPROXIMATE. REFER TO FINAL INDIVIDUAL LEGAL DESCRIPTIONS TO BE PREPARED AT TIME OF INDIVIDUAL SITE PLAN REVIEWS. (NOTED ADDED - 2025.02.00)
3. REFER TO SITE CONSTRUCTION PLANS FOR SERVICE CONNECTION DETAILS AND FINAL ALIGNMENTS. (NOTE ADDED - 2025.02.00)

EXHIBIT 9 - PUD MOD #3 #4

PSL PROJ. NO. P23-159
PSL PROJ. NO. P15-098
PSL PROJ. NO. P07-216
PSL UTIL. PROJ. NO. 11-863-000

COMPUTER FILE REF.	FIELD BK./PG.
03-157.5 PUD plan	



CULPEPPER & TERPENING, INC.
CONSULTING ENGINEERS | LAND SURVEYORS
2980 SOUTH 25th STREET • FORT PIERCE, FLORIDA 34981
PHONE 772-464-3337 • FAX 772-464-9497 • www.ct-eng.com
STATE OF FLORIDA BOARD OF PROFESSIONAL ENGINEERS AUTHORIZATION NO. 426

- REVISIONS -		BY	DATE
REVISED	DRP	07/12/07	
REVISED: ADDED TRACT ACREAGE & LAND USE	DRP	07/26/07	
PUD REVISION NO 4 - AMEND TRACT B TO ADD NEW BLDG AREA	DJM	10/16/24	
PUD REVISION NO 4 - REVISE ACCESS DRIVES & NOTES	DJM	25/02/25	

DESIGNED	BY	DATE
CALC.	-	-
DRAWN	DJM	06/18/07
DETAILED		
CHECKED		
APPROVED		

GATLIN PLAZA
AMENDED PUD MASTER PLAN

DATE: 06/18/07
HORIZ. SCALE: 1"=200'
VERT. SCALE: NA
JOB No. 23-095
SHEET 1 of 1

EXHIBIT 10**TRAFFIC IMPACT REPORT**~~March 2005~~May 2025

Refer to the TRAFFIC IMPACT ANALYSIS for the Gatlin Plaza PUD, prepared by MacKenzie Engineering and Planning, Inc., dated February 12, 2025 (last revised May 2025), on file with the City of Port St. Lucie Planning Department. This amendment (the 4th amendment) provides for the deletion of the prior traffic impact report (last updated March 2005), as included in PUD Amendment #3) from this PUD Document.

MacKenzie Engineering and Planning, Inc. (Mackenzie) performed an analysis of the traffic impacts resulting from the proposed project site located east of I-95 and Gatlin Boulevard, Port St. Lucie, Florida. The project proposes to construct a total of 750,000 SF of Retail (Shopping Center) use, with a Hotel use, comprising 120 rooms. The analysis buildout year for this project is 2027. As of the date of this application for the 4th amendment to the Gatlin Plaza PUD, the total 'approved' square feet for this PUD is 397,050 square feet. The table below provides a general breakdown of the distribution of square footage within the original Gatlin Plaza PUD:

<u>SITE NAME</u>	<u>BLDG. AREA (SF) (thru May 2025)</u>
<u>Home Depot</u>	<u>155,669</u>
<u>Bass Pro</u>	<u>91,370</u>
<u>Copy Floor & Décor</u>	<u>69,981</u>
<u>Dave & Busters</u>	<u>25,000</u>
<u>Retail D</u>	<u>20,000</u>
<u>Restaurant</u>	<u>6,300</u>
<u>Wendy's</u>	<u>3,408</u>
<u>unassigned</u>	<u>45,412</u>
<u>Total for initial Gatlin Plaza PUD</u>	<u>397,050</u>

Subsequent development phases will account for an additional 353,000 square feet in this project, thus bringing the project total to approximately 750,000 square feet. Except, it should be noted that, at the developer's option, should the proposed 120 hotel rooms be proposed for construction, the maximum square footage allowed in the project will be reduced to approximately 730,000 square feet. The 20,000 square foot reduction in gross area accounts for a re-assignment/conversion of the trips generated by that square footage to a Suite Hotel use.

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Transportation improvement obligations, necessary to offset the impacts of the initial stages of projects development included; alterations Gatlin Boulevard; local street improvements (east of the development site) encouraging alternative access routes into the overall project, and contributions by the developers to improvements to other local area collector and arterial roadways that provide for a diffusion of traffic in this area, have already been completed. Addressing the impacts of this proposed expansion upon the local roadway network, the Mackenzie report recommends the following transportation system improvements to offset the impacts resulting from the addition of 353,000 square feet of additional retail space into the existing Gatlin Plaza PUD.

1. Prior to the issuance of any building or site development permits (excluding mass grade permits), collectively authorizing more than 400,000 square feet of commercial space in the Gatlin Plaza PUD, the developer shall provide, or cause to provide through the execution of an approved development agreement or equivalent order, the following transportation network improvements:
 - a. Intersection of Gatlin Boulevard & Brescia Street:
 - i. Convert the northbound approach to this intersection (Brescia Street) to 2 left-turn lanes and 1 shared through/right-turn lane.
 - ii. Extend shared through/right-turn lane approximately 160 feet from current position to approximate access drive at Home Depot site.
 - iii. Provide for necessary Signal Head and Signal Adjustments to support this restriping improvement and lane adjustment.
 - b. Intersection of Fondura Street and Gatlin Boulevard:
 - i. Add northbound right turn lane.
 - ii. Provide for necessary Signal Head and Signal Adjustments to support this lane addition.
 - c. East side Driveway 2 & Hayworth Avenue:
 - i. Convert the intersection of the Gatlin Plaza Internal Access Drive with Hayworth Avenue to an 'All-Way' stop controlled intersection.
 - ii. Improve sight-triangle visibility at intersection.
 - d. Intersection of Hayworth Avenue & Edgarce Street:
 - i. Restripe the Hayworth Avenue & Edgarce Street intersection to provide for enhanced traffic operation visibility.
 - ii. Remove stop signs for Hayworth Avenue, allowing for free flow movement along Hayworth Avenue.
2. Prior to the issuance of any building or site development permits (excluding mass grade permits), collectively authorizing more than 600,000 square feet of commercial space in the Gatlin Plaza PUD, the developer shall provide, or cause to provide through the execution of an approved development agreement or equivalent order, the following transportation network improvements:
 - a. Gatlin Boulevard & Brescia Street:
 - i. Installation of second, eastbound left-turn lane (to northbound Brescia). This improvement will require the addition of new receiving lane on NB Brescia.

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- ii. Signal adjustments at the intersection Gatlin Boulevard & Brisica street in support of the additional left turn lane.

With the completion of these identified improvements, the Gatlin Plaza PUD project will meet Port St. Lucie's concurrency requirements.

EXHIBIT 11

**ENVIRONMENTAL IMPACT
REPORT**

August 2004

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RECONNAISSANCE LEVEL FIELD ASSESSMENT

GATLIN COMMONS

*City of Port St. Lucie
St. Lucie County, Florida*

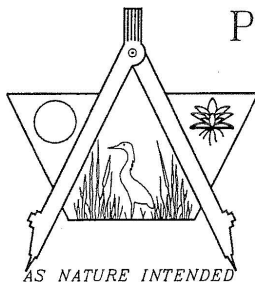
Section 15, Township 37 South, Range 39 East

PREPARED FOR:

Culpepper & Terpening, Inc.

AUGUST 3, 2004

BY:



PHILLIP R. JIMRUSTI
& ASSOCIATES, INC.

ECOLOGICAL ENGINEERS
ENVIRONMENTAL CONSULTANTS

12730 S.W. 12th Court
DAVIE, FLORIDA 33325

(954) 370-8870

GATLIN COMMONS

INTRODUCTION

A *Reconnaissance Level Field Assessment* was conducted on this 90.60-acre tract of land located south of Gatlin Blvd., east of Interstate 95, Section 15, Township 37 South, Range 39 East, City of Port St. Lucie, St. Lucie County, Florida on August 3, 2004. The parcel was surveyed on three occasions at various times of the day to be in substantial compliance with the South Florida Water Management District Basis of Review, the City of Port St. Lucie Comprehensive Land Use Amendment and St. Lucie County Resource Protection Standards (Chapter VI) The site was investigated to identify native vegetative communities, determine the viability of indigent habitats and note the presence or absence of threatened or endangered species as listed by the U.S. Fish and Wildlife Service (FWS) and Florida Fish and Wildlife Conservation Commission (FFWCC).

The site is bounded on the south by vacant land, on the west and north by paved roads and on the east by a FPL Powerline easement. The immediate area surrounding the property is sub-divided for future commercial and residential development. The site is fully wooded and can best be described as the remnants of a pine/palmetto flatwoods with depressional wetlands located along the west and north property lines. Off-road vehicle trails are prevalent throughout the property.

VEGETATION

The canopy vegetation of the uplands consists of slash pine (Pinus eliottii), Brazilian pepper (Schinus terebenthifolis), cabbage palm (Sable palmetto), led tree (*Leucaena leucocephala*) and live oak (Quercus virginiana). The understory was sparse and contained wild coffee (Psychotria nervosa), wax myrtle (*Myrica cerifera*), lantana (Lantana depressa), saw palmetto (Sereona repens), beautyberry (Callicarpa americana), and blackberry (Rubus betulifolius). The ground cover observed was grape vine (vitis rotundifolia), heliotrope (*Heliotropium polyphyllum*), Old World climbing fern (*Lygodium microphyllum*), bracken fern (Pteridium spp.), swamp fern (Blechnam serrulatum) and wire grass (Arstida stricta).

The wetland and transitional areas of the property contained canopy vegetation consisting of red bay, Carolina willow and pond apple with an understory of wax myrtle and buttonbush. The ground covers observed were

GATLIN COMMONS

The open areas of the property contain Bahia grass (Paspalum notatum) and roadside weeds such as Spanish needles (Bidens alba), caesar weed (Urena lobata), ragweed (Ambrosia artemisiifolia), periwinkle (Catharanthus roseus), and various other grasses and forbs associated with open fields.

SOILS

The US Department of Agriculture, Natural Resources Conservation Service Soil Survey of St. Lucie County indicates that the substrate of the property is Winder sand, depressional (54) with intrusions of Riviera fine sand (37&38). Winder sand is a poorly drained nearly level soil that occurs in depressional areas. Riviera fine sand is a poorly drained nearly level soil that occurs in depressional areas, in hammocks and along drainageways.

WILDLIFE

Other than mockingbirds (Mimus polyglottos) and mourning doves (Zenaida macroura), no wildlife was observed during the survey. Tracks of white tailed deer and raccoons were noted throughout the site. No gopher tortoise (Gopherus polyphemus) burrows were observed and the site does not contain a scrub habitat. Based on previous studies of animal populations within the Pine Flatwoods and wetland communities, the following is a list of probable animal species that may inhabit the site:

Mammals

Nine banded armadillo (Dasypus novemcinctus)
Opossum (Didelphis virginiana)
Raccoon (Procyon lotor)
Grey Squirrel (Sciurus carolinensis)
White tailed deer (Odocoileus virginianus)

Birds

Ground dove (Columba passerina)
Mocking bird (Mimus polyglottos)
Wading birds

GATLIN COMMONS

Other Vertebrates

Oak toad (Bufo quercicus)

Green anole (Anolis carolinensis)

Six-lined racerunner (Cnemidophorus sexlineatus)

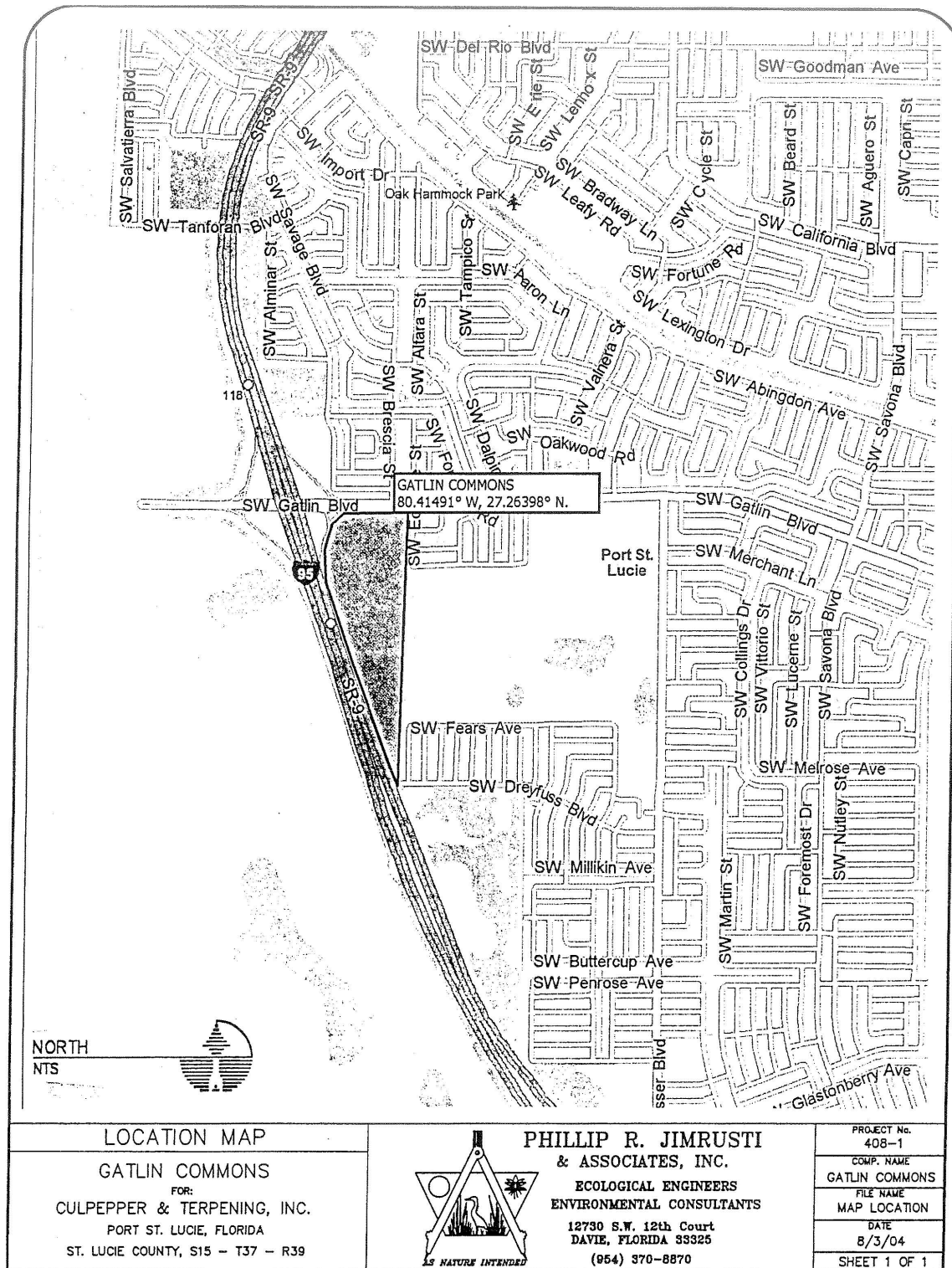
HYDROLOGY

The wetlands sustain periodic flooding in the wetland areas. On two site visits, 12 inches of standing water was observed in all of the depressional wetlands. On 8/3/04 the only standing water that was observed was in the deeper off-road vehicle tracts.

CONCLUSION

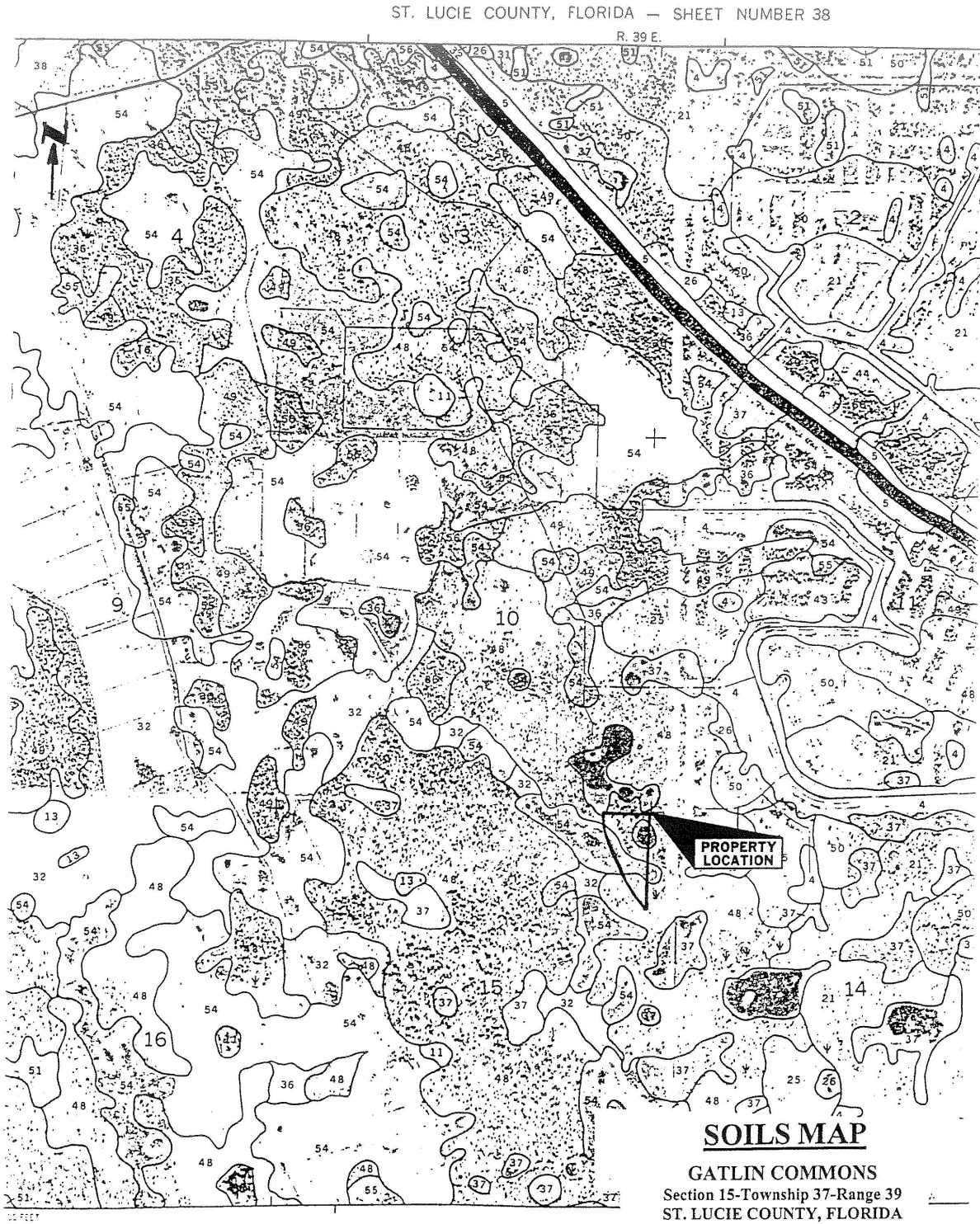
No wildlife or vegetation from the list of State and Federally protected, threatened or endangered species were observed on the property. The Florida scrub jay and Gopher tortoise listed as threatened by the FGFWFC and the USFWS and endemic to a scrub environment requires a low shrub layer lacking a sand pine canopy that this site does not provide.

A pre-application wetland determination was conducted by the South Florida Water Management District (SFWMD) on 6/27/04 and confirmed the surveyed wetland areas.



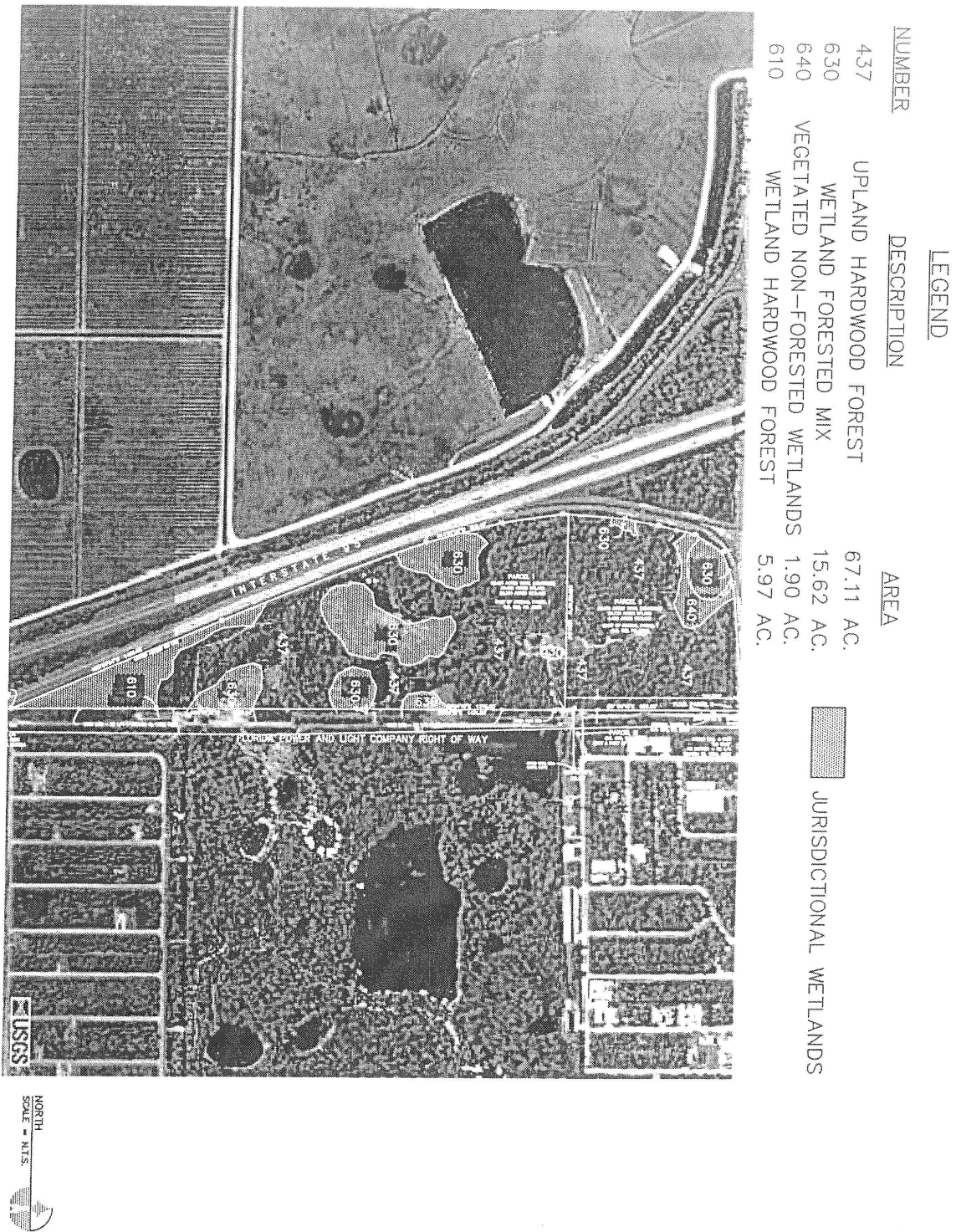
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