

City of Port St. Lucie

121 SW Port St. Lucie Blvd.
Port St. Lucie, Florida 34984



"A City for All Ages"

Meeting Agenda

Tuesday, July 5, 2022

6:00 PM

Council Chambers, City Hall

Planning and Zoning Board

Deborah Beutel, Chair, Term 2 Expires 6/21/25

Alfreda Wooten, Vice Chair, Term 1 Expires 5/28/23

Carol Taylor-Moore, Secretary, Term 1 Expires 9/27/25

Peter Previte, At-Large, Term 1 Expires 7/12/25

Joseph Piechocki, At-Large, Term 1 Expires 7/12/25

Roberta Briney, At-Large, Term 1 Expires 7/12/25

Please visit www.cityofpsl.com/tv for new public comment options.

1. Meeting Called to Order**2. Roll Call****3. Determination of a Quorum****4. Pledge of Allegiance****5. Approval of Minutes**

5.a Approval of Minutes - June 7, 2022

[2022-553](#)

6. Consent Agenda**7. Public Hearings - Non Quasi-Judicial**

7.a P21-073 - Chapter 158 - Zoning Code, Section 158.155
Limited Mixed Use Zoning District (LMD).
A city initiated text amendment to add subsection 158.155(D)4 and (D)5
to the Limited Mixed Use Zoning District (LMD).

[2022-508](#)

8. Public Hearing - Quasi-Judicial

8.a P20-177 Torino Parc (St. Matilda, LLC) - PUD Rezoning
Location: This property is located west of NW East Torino Parkway,
north of NW West Blanton Boulevard, and south of the C-105 canal.
Legal Description: Port St. Lucie Section Forty-Six, First Replat of Tract F.
Request: This PUD (Planned Unit Development) rezoning application
proposes to rezone 28.8 acres of property to allow for the development
of 263, two-story, townhouse units.

[2022-389](#)

8.b P22-182 St. Lucie County School at Verano - Rezoning
Location: The property is located west of the NS A road right-of-way and
north of the Crosstown Parkway right-of-way.
Legal description: A parcel of land lying in a portion of Section 6,
Township 37 South, Range 39 East, St. Lucie County, Florida.
This is a request to rezone 49.11 acres of property from St Lucie County
Agricultural 1 unit per 5 acres (SLC AG-5) to Institutional (I) for the
purposes of building a school.

[2022-552](#)

- 8.c** P22-001 Riverland/Kennedy DRI Riverland Center MPUD [2022-468](#)
Rezoning
Location: Located on the northwest corner of Community Boulevard and E/W #3 right-of-way (Marshal Parkway)
Legal Description: Portions of Sections 21 and 22, Township 37 South, Range 39 East, St. Lucie County, Florida
This is a request to rezone 35.7 acres from the St. Lucie County AG-5 zoning designation to a Master Planned Unit Development (MPUD).
- 8.d** P22-099 St Lucie West Properties, LLC - Variance [2022-459](#)
Location: 1100 SW ST Lucie West Boulevard
Legal Description: St. Lucie West Plat 15- Commercial Sites Phase 1, Parcel 20
This is a request to grant a variance to allow a secondary monument sign along St. Lucie West Boulevard adjacent to the site's driveway access.
- 8.e** P22-178 Up On Top Volleyball - Variance [2022-545](#)
Location: SE corner of NW East Torino Parkway and NW Rabbit Run.
Legal Description: Winterlakes Tract F Replat, Tract F1.
This request is to grant a variance to the Citywide Design Standards to eliminate the requirement that buildings with flat roofs have peaked or pitched roof elements along 25% of the front and sides.

9. New Business

10. Old Business

11. Public to be Heard

12. Adjourn

Notice: No stenographic record by a certified court reporter will be made of the foregoing meeting. Accordingly, any person who may seek to appeal a decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at said meeting upon which any appeal is to be based.

Notice: In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the City Clerk's office at (772) 871-5157 for assistance.

As a courtesy to the people recording the meeting, please put your cell phone on silent.



Agenda Summary

2022-553

Agenda Date: 7/5/2022

Agenda Item No.: 5.a

Placement: Minutes

Action Requested: Motion / Vote

Approval of Minutes - June 7, 2022

Submitted By: Pat Shutt, Administrative Assistant, Planning & Zoning Department

Executive Summary: June 7, 2022 minutes attached.

Presentation Information: N/A

Staff Recommendation: Move that the Board approve the minutes.

Alternate Recommendations:

1. Move that the Board amend the recommendation and approve the minutes with changes.
2. Move that the Board not approve the minutes and provide staff direction.

Background: N/A

Issues/Analysis: N/A

Special Consideration: N/A

Location of Project: N/A

Attachments: June 7, 2022 minutes.

City of Port St. Lucie
Planning and Zoning Board
Meeting Minutes - Draft

121 SW Port St. Lucie
Blvd.
Port St. Lucie, Florida
34984

Deborah Beutel, Chair, Term 2 Expires 6/21/25
Alfreda Wooten, Vice Chair, Term 1 Expires 5/28/23
Carol Taylor-Moore, Secretary, Term 1 Expires 9/27/25
Peter Previte, At-Large, Term 1 Expires 7/12/25
Joseph Piechocki, At-Large, Term 1 Expires 7/12/25
Roberta Briney, At-Large, Term 1 Expires 7/12/25

Please visit www.cityofpsl.com/tv for new public comment options.

Tuesday, June 7, 2022

6:00 PM

Council Chambers, City Hall

1. Meeting Called to Order

A Regular Meeting of the Planning and Zoning Board of the City of Port St. Lucie was called to order by Chair Beutel at 6:00 PM on June 7, 2022, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

2. Roll Call

Members Present:

Deborah Beutel, Chair
Alfreda Wooten, Vice Chair
Carol Taylor-Moore, Secretary
Joseph Piechocki, At-Large
Roberta Briney, At-Large (via Zoom)

Members Not Present:

Peter Previte, At-Large

Others Present:

Teresa Lamar-Sarno, Deputy City Manager
Elizabeth Hertz, Senior Deputy City Attorney
Traci Mehl, Deputy City Clerk

3. Determination of a Quorum

Chair Beutel determined there was a quorum.

4. Pledge of Allegiance

Chair Beutel led the assembly in the Pledge of Allegiance.

5. Approval of Minutes

5.a Approval of Minutes - May 3, 2022[2022-476](#)

There being no corrections, Vice Chair Wooten moved to approve the minutes of the May 3, 2022, Planning and Zoning Board meeting. Secretary Taylor-Moore seconded the motion, which passed unanimously by roll call vote.

6. Consent Agenda

There were no Consent Agenda items to be heard.

7. Public Hearings - Non Quasi-Judicial**7.a** P21-023, Far 2, LLC @ SLW (Cashmere Residential) -[2022-482](#)

Comprehensive Plan Amendment/Small Scale

Location: The property is located within the SLW DRI, and at the southeast corner of the intersection of Old Inlet Drive and Cashmere Boulevard.

Legal Description: SLW Plat No. 178.

This is a request to change the future land use designation of an approximately 9-acre parcel from General Commercial (CG) to Medium Density Residential (RM).

Planner Laura Dodd provided a Powerpoint presentation on the St. Lucie West (Cashmere Residential) proposal for a small scale future land use map amendment. She stated the applicant is Michael Sanchez on behalf of Managed Land Entitlements and the owner is Far 2, LLC. She explained her presentation encompasses two other applications, a concurrent PUD and a DRI map amendment, and provided a summary of each application.

Applicant Sanchez highlighted their public outreach efforts throughout the process and discussed the residents' concerns.

Chair Beutel opened Public to be Heard.

1. Fredda Fixler-Fuchs, 370 NW Shoreview Drive, spoke to the maps she received in the mail regarding this project, inquired if the owner has tried to sell the property, discussed commercial vs. residential and the increase in traffic, and what might be developed on the site.

2. Judge Michael Silver, 367 NW Shoreview Drive, stated he did not receive the second letter and asked that Planning and Zoning as well as the builder consider The Cascades of St. Lucie West.

There being no further comments, Chair Beutel closed Public to be

Heard.

Planner Dodd explained the maps were enclosed with the letters mailed to the residents and stated she would look at the scale or radius issue and follow-up with Ms. Fixler-Fuchs. Planner Dodd further explained that staff reached out to the school district to verify a school management and safety plan for any students attending and the transportation impacts associated with it. She said the fire district was involved in the review process and the recommendations for approval are on file. Planner Dodd also noted that the owner of the property has the right to seek entitlements to develop the property.

Applicant Sanchez discussed the traffic analyses as well as the conceptual and final site plans. He stated the residents in The Cascades were noticed and that he would speak to those residents in attendance.

There being no further discussion, Board Member Piechocki moved to recommend approval of P21-023, Far 2, LLC @ SLW (Cashmere Residential) - Comprehensive Plan Amendment/Small Scale. Vice Chair Wooten seconded the motion, which passed unanimously by roll call vote.

7.b P22-149 Treasure Coast Victory Children's Home -
Comprehensive Plan Amendment/Small Scale

[2022-455](#)

Location: The property is located at 638 SW Biltmore Street, generally west of SW Biltmore Street and north of SW Swan Avenue.

Legal Description: Lots 20, 21 and 22, Block 73, Port St. Lucie Section 27

This is a request to change the future land use designation of a 0.689-acre portion of a property from Commercial General (CG) to a split designation of Light Industrial (LI)/Service Commercial (CS).

(Clerk's note: This item was heard after item 8.c.)

Planner Stephen Mayer provided a PowerPoint presentation on this small scale comprehensive plan amendment, which would change the future land use designation from commercial general to a split zoning of light industrial/commercial service. He explained the difference between future land use and zoning applications, as both types will be presented this evening. He stated that staff recommends approval of the proposed small scale comprehensive plan amendment.

Brad Currie with Engineering, Design & Construction represented the

applicant. He stated his client is the contract purchaser of the property and is proposing to build office warehouse flex space consistent with what is in the area.

Chair Beutel opened Public to be Heard. There being no comments, she closed Public to be Heard.

There being no further discussion, Vice Chair Wooten moved to recommend approval of P22-149, Treasure Coast Victory Children’s Home - Comprehensive Plan Amendment/Small Scale. Board Member Piechocki seconded the motion, which passed unanimously by roll call vote.

- 7.c** P22-158 City of Port St. Lucie - Chapter 55, Sign Code, Section 155.03 - Text Amendment [2022-466](#)

Planner Dan Robinson provided a PowerPoint presentation on this sign code text amendment for section 155.03 of the sign regulation procedures, which will remove the requirement of a Design Review Board for the Master Sign Programs.

Chair Beutel opened Public to be Heard. There being no comments, she closed Public to be Heard.

There being no further discussion, Board Member Piechocki moved to recommend approval of P22-158, City of Port St. Lucie - Chapter 55, Sign Code, Section 155.03 - Text Amendment. Secretary Taylor-Moore seconded the motion, which passed unanimously by roll call vote.

8. Public Hearing - Quasi-Judicial

Senior Deputy City Attorney Elizabeth Hertz explained the process and procedures for the Quasi-Judicial Hearings. At this time, the Deputy City Clerk swore in those individuals who intended to speak on any item under Section 8 of the Agenda.

- 8.a** P21-022, St. Lucie West Development of Regional Impact (DRI) - Amendment No. 19 [2022-480](#)

Location: The property is located within the SLW DRI, and at the southeast corner of the intersection of Old Inlet Drive and Cashmere Boulevard.

Legal Description: SLW Plat No. 178.

This is a request to amend Map H, the master development plan, to change the land use of approximately nine (9) acres of land from General Commercial (CG) to Medium Density Residential (RM).

Chair Beutel inquired if the Board had any ex parte communications, to

which each member responded in the negative.

Planner Laura Dodd stated she was sworn in and the application was submitted five days prior to this hearing. She asked the City Clerk to enter the file into the record. She explained this amendment is linked to her prior presentation, as it is a request to change the Development of Regional Impact (DRI) to St. Lucie West to accommodate the future land use small scale map amendment this Board just approved.

Applicant Michael Sanchez stated he had nothing else to add.

Chair Beutel opened Public to be Heard. There being no comments, she closed Public to be Heard.

There being no further discussion, Board Member Piechocki moved to recommend approval of P21-022, St. Lucie West Development of Regional Impact (DRI) - Amendment No. 19. Secretary Taylor-Moore seconded the motion, which passed unanimously by roll call vote.

8.b P21-024, Far 2, LLC @ SLW - Planned Unit Development
(PUD) Rezoning

[2022-474](#)

Location: The property is located within the SLW DRI, and at the southeast corner of the intersection of Old Inlet Drive and Cashmere Boulevard.

Legal Description: SLW Plat No. 178.

This is a request to rezone approximately nine (9) acres of property from General Commercial (CG) to Planned Unit Development (PUD). The proposed amendment includes a PUD development agreement and concept plan proposing a 72-unit townhome development.

Planner Laura Dodd stated she was sworn in and the application was submitted five days prior to this hearing. She asked that her prior presentation be entered into the record.

Planner Dodd provided a Powerpoint presentation on this rezoning request for the Planned Unit Development (PUD) for St. Lucie West - Cashmere Residential on behalf of Far 2, LLC. She asked that the file be entered into the record.

Chair Beutel inquired if the Board had any ex parte communications, to which each member responded in the negative.

Applicant Michael Sanchez stated he had nothing else to add.

Chair Beutel opened Public to be Heard. There being no comments, she closed Public to be Heard.

There being no further discussion, Board Member Briney moved to recommend approval of P21-024, Far 2, LLC @ SLW - Planned Unit Development (PUD) Rezoning. Vice Chair Wooten seconded the motion, which passed unanimously by roll call vote.

8.c P22-001 Riverland/Kennedy DRI Riverland Center MPUD Rezoning [2022-468](#)

Location: Located on the northwest corner of Community Boulevard and E/W #3 right-of-way (Marshal Parkway)

Legal Description: Portions of Sections 21 and 22, Township 37 South, Range 39 East, St. Lucie County, Florida

This is a request to rezone 35.7 acres from the St. Lucie County AG-5 zoning designation to a Master Planned Unit Development (MPUD).

(Clerk's Note: This item was heard after item 7.a.)

Chair Beutel indicated there was a request to table Riverland/Kennedy to a future date of July 5, 2022.

There being no discussion, Secretary Taylor-Moore moved to table P22-001, Riverland/Kennedy DRI Riverland Center MPUD Rezoning, to the July 5, 2022, Planning and Zoning Board meeting. Vice Chair Wooten seconded the motion, which passed unanimously by roll call vote.

8.d P22-036 CSC Properties - Lot 3 @ Prima Vista - Special Exception Use [2022-454](#)

Location: The property is located north of Prima Vista Boulevard and east of Friar Street.

Legal Description: Section 27, Block 115, Lot 3

This is a request for a special exception to allow 3-bay quick service oil change use (oil lubrication) in the Planned Unit Development (PUD) zoning district. Pursuant to the conditions of the Prima Vista Commercial Center PUD, automotive oil lubrication business requires a special exception to be approved.

Chair Beutel inquired if the Board had any ex parte communications, to which each member responded in the negative.

Planner Stephen Mayer stated he was sworn in and the official file was provided five days prior to this hearing. He asked the City Clerk to enter the file into the record.

Planner Mayer provided a Powerpoint presentation on this special exception use, for a vacant lot in the Prima Vista PUD, that would allow for an automobile lubrication store. He discussed the subject property, stacking analysis, existing wall around the PUD, required landscape buffer, setbacks, traffic analysis, parking spaces, and noise generation. He stated the proposed use is not expected to adversely impact the surrounding properties and that staff recommends the Board review the special exception request and vote to recommend approval with conditions or a denial to City Council.

Applicant Evan Futch with the Avid Group addressed the residential concern and their outreach effort.

Chair Beutel opened Public to be Heard. There being no comments, she closed Public to be Heard.

There being no further discussion, Board Member Piechocki moved to recommend approval of P22-036, CSC Properties - Lot 3 @ Prima Vista - Special Exception Use. Board Member Briney seconded the motion, which passed unanimously by roll call vote.

8.e P22-047 The Reserve Development of Regional Impact (DRI) -
Amendment No. 9

[2022-479](#)

Location: The property is located west of Interstate 95 and southeast of Glades Cutoff Road.

This is a request to amend the development order for The Reserve DRI to delete 64,264 of general commercial/retail use and replace with 101 additional residential units and 103,005 square feet of office use; extend the termination date until January 27, 2023; and add language regarding use of the conversion matrix.

Chair Beutel inquired if the Board had any ex parte communications, to which each member responded in the negative.

Anne Cox, Assistant Director of Planning & Zoning, stated she was sworn in and the official city file was transmitted to the City Clerk at least five days prior to this meeting. She asked that the file be entered into the record.

Planner Dodd provided a Powerpoint presentation and stated this application was The Reserve Development of Regional Impact (DRI) Amendment #9 to the development order, to change some entitlements in the DRI. She discussed the subject property, DRI, number of

dwelling units, traffic analysis, and master conceptual plan. She stated the Planning & Zoning Department finds the proposed amendment to be consistent with the City's Comprehensive Plan and recommends approval.

Applicant Shaun MacKenzie with Mackenzie Engineering and Planning and Agent Marianna Arias Sanz with Cotleur & Hearing, for Applicant Meritage Homes and their representative Maria Bolivar, indicated they were available to answer any questions.

Chair Beutel opened Public to be Heard. There being no comments, she closed Public to be Heard.

There being no further discussion, Board Member Briney moved to recommend approval of P22-047, The Reserve Development of Regional Impact (DRI) - Amendment No. 9. Vice Chair Wooten seconded the motion, which passed unanimously by roll call vote.

8.f P22-054 Mason Toscana Master Sign Program

[2022-329](#)

Location: South of Lyngate Drive, on the west side of South Federal Highway, and east of Morningside Boulevard.

Legal Description: Second Replat of Tract E, South Port St. Lucie Unit 15

This is a request to create a Master Sign Program for a project known as Toscana PUD.

Chair Beutel inquired if the Board had any ex parte communications, to which each member responded in the negative.

Planner Daniel Robinson stated he was sworn in and the official file was submitted more than five days prior to this hearing. He asked the City Clerk to enter the file into the record.

Planner Robinson provided a Powerpoint presentation on a master sign program for a new development along US-1 that is proposing two monument signs at the entrances of the development. He stated that staff finds the proposed amendment to be consistent with the direction of the intent of the City's Land Development Regulations and recommends approval.

Agent Michael McCluney for Mason Toscana stated he was available to answer any questions.

Chair Beutel opened Public to be Heard. There being no comments,

she closed Public to be Heard.

There being no further discussion, Secretary Taylor-Moore moved to recommend approval of P22-054, Mason Toscana Master Sign Program. Board Member Briney seconded the motion, which passed unanimously by roll call vote.

8.g P22-099 St Lucie West Properties, LLC - Variance

[2022-459](#)

Location: 1100 SW ST Lucie West Boulevard

Legal Description: St. Lucie West Plat 15- Commercial Sites Phase 1, Parcel 20

This is a request to grant a variance to allow a secondary monument sign along St. Lucie West Boulevard adjacent to the site's driveway access.

Chair Beutel indicated there was a request to table this item to the July 5, 2022, Planning and Zoning Board meeting.

There being no discussion, Vice Chair Wooten moved to table P22-099, St. Lucie West Properties, LLC - Variance, to the July 5, 2022, Planning and Zoning Board meeting. Board Member Piechocki seconded the motion, which passed unanimously by roll call vote.

8.h P22-131 John M. & Arlene Wangle - Variance

[2022-467](#)

Location: 140 SE Rio Angelica

Legal Description: Tesoro Plat No. 4, Lot 107

This is a request to grant a variance of 2.69 feet to allow a 0.31-foot setback from the rear property line for an existing screen enclosure.

Chair Beutel inquired if the Board had any ex parte communications, to which each member responded in the negative, except for Board Member Piechocki, who disclosed he had spoken to Anne Cox and to the Deputy City Manager about this item.

Via Zoom, Planner Bianca Lee stated she was sworn in and the official City file was transmitted to the City Clerk at least five days prior to this meeting. She asked that the file be entered into the record.

Planner Lee provided a Powerpoint presentation and stated this was a variance to the setback requirements of the Tesoro PUD, to allow a setback from the rear property lines for a pool deck and screen enclosure. She showed the subject property and explained the screen enclosure was built after the pool permit was issued by the Building Department, but prior to securing a permit, so the variance is being sought after the fact.

John Wangle, property owner, stated it was his mistake, as he paid a professional who told him that the permits were pulled. He said he is trying to fix the problem and is not encroaching on someone else's property.

Elizabeth Hertz, Senior Deputy City Attorney, clarified and separated the issues for the Board with regard to restrictive covenants and governing documents for an association. She explained the Board would be looking at the variance criteria to determine whether it believes this situation warrants a variance from the PUD regulations set forth in the PUD document.

Chair Beutel opened Public to be Heard.

1. Albert Moore, Attorney for Tesoro Property Owners Association, and Bobby Barfield, Member of the Architectural Control Board for Tesoro, explained that any structure being placed or constructed on the property has to go through the Architectural Review Board and this was never presented to them. They stated the screen enclosure and setback would not keep the community consistent and would set a bad precedent, especially since it was done without a permit. They respectfully asked the Board to deny the variance.

There being no further comments, Chair Beutel closed Public to be Heard.

There being no further discussion, Secretary Taylor-Moore moved to recommend approval of P22-131, John M. & Arlene Wangle - Variance.

Elizabeth Hertz, Senior Deputy City Attorney, explained that variances are case-by-case and the Board would look at the criteria and facts at hand.

The Board discussed their opinions and questioned Mr. Wangle, at this time. Mr. Wangle explained that Mark Tyson in the Building Department walked him through the entire process and presented the Board with an email from Mr. Tyson indicating a list of items to be compliant. (Clerk's Note: A copy of the email has been included with the minutes.) He stated the original drawings did not match the final survey.

There being no second, the motion died and Secretary Taylor-Moore

withdrew her motion.

Board Member Piechocki recommended they elicit the support of any documentation and discussions and/or follow-up with the appropriate Building Department personnel to see what happened and then make a measured decision.

Planner Lee stated that Mark Tyson provided his plan review statement that she can enter into the record. She said it states: Per Amendment #8 of the Tesoro PUD, the rear yard setback for accessory structures is three feet and, based on the Site Plan shown on page S1 of the plan submitted, the structure is encroaching into the setback. Planner Lee indicated this was dated 11/19/2021 and she was not sure when the screened enclosure was completed.

There being no further discussion, Board Member Piechocki moved to table P22-131, John M. & Arlene Wangle - Variance, to the August 2, 2022, Planning and Zoning Board meeting. Vice Chair Wooten seconded the motion, which passed unanimously by roll call vote.

- 8.i** P22-150 Treasure Coast Victory Children's Home - Rezoning [2022-456](#)
Location: The property is located at 638 and 650 SW Biltmore Street, generally west of Biltmore Street and North of Swan Avenue.
Legal Description: Lots 19-24, Block 73, Port St. Lucie Section 27.
This is a request to change the zoning designation of a 1.377-acre property from Institutional (I) to Warehouse Industrial (WI) for the purpose of providing consistency of the zoning designation with the proposed future land use designation.

Chair Beutel inquired if the Board had any ex parte communications, to which each member responded in the negative.

Planner Stephen Mayer stated he was sworn in and the file was provided five days prior to this meeting. He asked the City Clerk to enter the official file into the record.

Planner Mayer provided a Powerpoint presentation and stated this was the companion rezoning application to the future land use application heard earlier, to redevelop the existing school site into warehouse industrial uses with some office and flex spaces, and discussed the subject property

Applicant Brad Currie with Engineering, Design & Construction (EDC) indicated he was available to answer any questions.

Chair Beutel opened Public to be Heard. There being no comments, she closed Public to be Heard.

There being no further discussion, Vice Chair Wooten moved to recommend approval of P22-150, Treasure Coast Victory Children's Home - Rezoning. Secretary Taylor-Moore seconded the motion, which passed unanimously by roll call vote.

9. New Business

At this point, Chair Beutel suggested that Mark Tyson be in attendance at the August 2, 2022, Planning and Zoning Board meeting for the John M. & Arlene Wangle Variance that was tabled earlier in this meeting.

Board Member Piechocki updated the Board on the projects reviewed by the Site Plan Review Committee (SPRC) at their last meeting. He asked Teresa Lamar-Sarno, Deputy City Manager, for an update on the Cotleur/Allied Chemical/Tire Recycling letter, to which she stated there was no update as she has not heard from Mr. Sorrow. Board Member Piechocki also requested an update on the applicant process for the Planning and Zoning Board, to which Deputy City Manager Lamar-Sarno stated she hoped to have the applicants available for the Board in July. She explained and discussed the applicant process with the Board, at this time.

Board Member Piechocki stated he appeared before the City Council at their last meeting and presented stats on the number of agenda items that are related to master planning, zoning, or ordinances. He noted that the City of Port St. Lucie is predicted to be the fastest growing city in the entire country, which will impact the amount of material the City Council will consider and address, so he will continue to suggest future changes so they can be the best Planning and Zoning staff.

Board Member Briney and Chair Beutel expressed their concerns, at this time, to which Board Member Piechocki and Senior Deputy City Attorney Hertz responded.

10. Old Business

There was no Old Business to be heard.

11. Public to be Heard

Chair Beutel called upon David Kanarek to speak, but Mr. Kanarek did not respond.

At this point, someone from the audience stated they were there to speak on an item. Planner Stephen Mayer explained the item was not on the agenda, as it is a landscape modification that will be going to City Council on Monday, June 13,

2022. Chair Beutel asked that Planner Mayer get with those in attendance, so they know when the item will be heard. Deputy City Manager Lamar-Sarno apologized and responded to residents' questions. Senior Deputy City Attorney Hertz stated that those in attendance could speak or wait until the City Council Meeting on the 13th, but no one wished to speak at this time.

12. Adjourn

There being no further discussion, the meeting was adjourned at 8:06 PM.

Carol Taylor-Moore, Secretary

Traci Mehl, Deputy City Clerk



Agenda Summary

2022-508

Agenda Date: 7/5/2022

Agenda Item No.: 7.a

Placement: Public Hearing - Non Quasi Judicial

Action Requested: Motion / Vote

P21-073 - Chapter 158 - Zoning Code, Section 158.155 Limited Mixed Use Zoning District (LMD).

A city initiated text amendment to add subsection 158.155(D)4 and (D)5 to the Limited Mixed Use Zoning District (LMD).

Submitted By: Bethany Grubbs, Planner II

Executive Summary: The intent is to rectify a scrivener's error. The approval will amend Section 158.155 - Limited Mixed Use Zoning District (LMD) of the Code of Ordinances to add subsections (D.4) and (D.5), which were inadvertently omitted from the code. These two above-referenced subsections were not relevant to the original text amendment and were to be renumbered only.

Presentation Information: Staff may provide a presentation.

Staff Recommendation: Move that the Board recommend approval of the proposed text amendment.

Alternate Recommendations:

1. Move that the Board amend the recommendation and recommend approval of the proposed text amendment.
2. Move that the Board not recommend approval.

Background: The City Council adopted the attached Ordinance No. 21-118 at its December 6, 2021 meeting. This ordinance approved a text amendment to the City's Zoning Code, which removed permitted and special exception uses listed in the Institutional (I) Zoning District from Section 158.155 - Limited Mixed Use (LMD) Zoning District. Upon codification of the amendment, it was identified that Sections 158.155 (D)(4) and (D)(5) were inadvertently omitted from the code. This scrivener's error now needs to be corrected.

Issues/Analysis: See attached staff memorandum.

Special Consideration: N/A

Location of Project: N/A

Attachments:

1. Memorandum

2. Ordinance No. 21-118
3. Corrected Ordinance



MEMORANDUM

TO: Planning and Zoning Board Members

FROM: Bethany Grubbs, Planner II

DATE: June 3, 2022

RE: Text Amendment - Chapter 158 – Limited Mixed Use Zoning District (LMD) (P21-073) – Correction of a Scrivener’s Error

BACKGROUND:

The City Council adopted the attached Ordinance No. 21-118 at its December 6, 2021 meeting. This ordinance approved a text amendment to the City’s Zoning Code, which removed permitted and special exception uses listed in the Institutional (I) Zoning District from Section 158.155 – Limited Mixed Use (LMD) Zoning District. Upon codification of the amendment, it was identified that Sections 158.155 (D)(4) and (D)(5) were inadvertently omitted from the code. This scrivener’s error now needs to be corrected.

FINDINGS:

When the Planning and Zoning Board considered this request at their November 2, 2021 meeting, the proposed amendments were correctly identified, with subsections (D)(4) and (D)(5) only being renumbered. The text that needs to be added back to the zoning code is shown in the corrected ordinance which is attached. The text is underlined.

STAFF RECOMMENDATION:

Staff Recommends approval of the text amendment to correct the scrivener’s error.

ORDINANCE 21-118

AN ORDINANCE AMENDING TITLE XV “LAND USAGE”, ARTICLE XV “LAND USAGE” CHAPTER 158 “ZONING CODE”, SECTION 158.155 “LIMITED MIXED USE ZONING DISTRICT (LMD) OF THE CODE OF ORDINANCES OF THE CITY OF PORT ST. LUCIE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida adopted amendments to the City of Port St. Lucie Comprehensive Plan by Ordinance 12-19 (the “Comprehensive Plan”); and

WHEREAS, Section 163.3202, Florida Statutes, provides for the amendment and enforcement of land development regulations that are consistent with and implement the adopted comprehensive plan; and

WHEREAS, Section 163.3174, Florida Statutes, provides that the Local Planning Agency shall review proposed land development regulations and make recommendations to the governing body as to the consistency of the proposed land development regulations with the adopted Comprehensive Plan; and

WHEREAS, this City initiated code amendment, P21-073, proposes to amend section 158.155 to provide consistency with the Comprehensive Plan, thereby, deleting the permitted and special exception uses listed in the Institutional (I) Zoning District from the Limited Mixed Use Zoning District (LMD) and revise the use classification “institutional” to read “enclosed assembly areas” under Section 158.155(A); and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board having been duly designated as the local planning agency pursuant to Section 163.3174, Florida Statutes, and having held a public hearing thereon, has considered this proposed amendment to the Code of Ordinances (P2P21-073) and submitted its recommendations thereon to the City Council; and

WHEREAS, having considered the recommendations of the Planning and Zoning Board, the Port St. Lucie City Council has found and determined that the adoption of an amendment to section 158.155 will foster and preserve the public health, safety and welfare; improve and protect the environment and value and character of the community; and implement the adopted comprehensive plan.

ORDINANCE 21-118

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. Amendment. Section 158.155 of the Code of Ordinances of the City of Port St. Lucie is amended as follows:

CHAPTER 158. – ZONING CODE

Sec. 158.155. - Limited Mixed Use Zoning District (LMD).

- (A) **Purpose.** It is the intent and purpose of the Limited Mixed Use Zoning District (LMD) to allow, upon specific application, the conversion of single-family residential lots of record to multi-family, institutional, enclosed assembly areas, professional/business office or limited retail uses in a planned manner consistent with the Comprehensive Plan. This district sets specific requirements for land assembly, off-street parking, drainage setbacks, access and buffering to insure a planned development which provides for the efficient and economical use of land, appropriate or harmonious variety in physical development, a high compatibility with adjacent existing and future development and which provides for safe and efficient access to major transportation facilities.
- (B) **Limited Mixed Use District Defined.** For the purpose of this chapter, a limited mixed use district (LMD) is defined as land planned under unified control and developed in a coordinated manner in one or more development phases according to an approved conceptual plan, and with programs for full maintenance and operations for facilities and improvements such as parking and driveways, drainage, buffers and landscaping.
- (C) **Permitted Principal Uses and Structures.** The following principal uses and structures are permitted:
- (1) Any permitted use listed in the professional zoning district (P).
 - ~~(2) Any permitted use listed in institutional zoning district (I).~~
 - (3)(2) Any permitted use listed in the multiple-family residential zoning district (RM-11).
 - (4)(3) 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

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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.

- ~~(5)~~(4) Restaurants 5,000 square feet or less (not including drive-through facilities) with or without an alcoholic beverage license for on premises consumption of alcoholic beverages in accordance with Chapter 110. The conceptual plan required under section 158.155(M)(1)(c) shall specify those areas of the building to be used for restaurants.

(D) Special Exception Use.

- (1) Any special exception use listed in the professional zoning district (P).
- ~~(2) Any special exception use listed in institutional zoning district (I).~~
- ~~(3)~~(2) Any special exception use listed in the multiple-family residential zoning district (RM-11).
- ~~(4)~~(3) Retail plant nursery.

(E) **Accessory Uses.** As set forth in section 158.217.

(F) Minimum Lot Requirements/Maximum Residential Density.

- (1) As set forth in the Comprehensive Plan, and pursuant to conceptual plan approval. In no case shall the minimum lot be less than twenty thousand (20,000) square feet.
- (2) The maximum gross project density shall be eleven (11) units per acre.
- (3) Properties located within conversion areas as defined by this chapter shall meet the requirements contained within the "City of Port St. Lucie Land Use Conversion Manual".

(G) **Maximum Building Coverage.** Forty percent (40%), provided that the maximum impervious surface area does not exceed eighty percent (80%).

(H) **Maximum Building Height.** Thirty-five (35) feet except for the ROI (Residential, Office, Institutional) conversion area as defined in the "City of Port St. Lucie Land Use

ORDINANCE 21-118

Conversion Manual," lying on Port St. Lucie Boulevard, between Airoso Boulevard and US #1, where the maximum building height shall be one (1) story.

(I) Minimum Building Size and Minimum Living Area.

- (1) Commercial and office buildings shall have a minimum total gross floor area of one thousand two hundred (1,200) square feet.
- (2) Multiple-family dwelling: One (1) bedroom, seven hundred (700) square feet; efficiency or studio apartment, six hundred (600) square feet.
- (3) Single-family dwelling: Minimum size house of one thousand four hundred (1,400) square feet.
- (4) Townhouse dwelling: Eight hundred (800) square feet.

(J) Setback Requirements and Landscaping.

- (1) **Front Setback.** Each lot shall have a front yard with building setback line of twenty-five (25) feet.
- (2) **Side Setback.** Each lot shall have two side yards, each having a building setback line of ten (10) feet. A building setback line of twenty-five (25) feet shall be required when the yard adjoins a public road right-of-way.
- (3) **Rear Setback.** Each lot shall have a rear yard with a building setback line of ten feet. A setback line of twenty-five (25) feet is required when the yard adjoins a residential land use or a public road right-of-way. A fifty-foot rear yard building setback line shall be required for two-story buildings adjacent to single family residential lots.
- (4) **Landscaping Requirements.** Landscaping and buffering requirements are subject to Chapter 154. All mechanical equipment shall be screened from property zoned residential. This screening shall be designed as both a visual barrier and a noise barrier. The Site Plan Review Committee, Planning and Zoning Board and/or the City Council may require additional buffering or specify plant material.

(K) Off-Street Parking and Service Requirements. As set forth in section 158.221.

(L) Special Standards for District Establishment and Internal Design. In reaching recommendations and decisions as to rezoning land to LMD, the Planning and Zoning

ORDINANCE 21-118

Board shall apply the performance standards for the appropriate conversion area contained in the "City of Port St. Lucie Land Use Conversion Manual."

In order to ~~insure~~ ensure the proposed uses are compatible with surrounding development, the City Council shall have the authority to place conditions or restrict activities based on the following:

- (1) Requirements as set forth in section 158.260;
- (2) Access, requiring execution of agreements for joint access and/or cross access easements with adjacent property owners;
- (3) Hours of operation;
- (4) Compatible uses, excluding certain incompatible uses; and
- (5) Site development details, including but not limited to the following; building elevations and locations, lighting, dumpster locations, etc.

(M) Procedures for Rezoning Land to Limited Mixed Use Zoning District (LMD).

- (1) Application materials to be submitted in addition to those in the Conversion Area Manual:
 - ~~a-~~ A statement presenting firm evidence of unified control of the entire area within the proposed LMD.
 - ~~b. —~~ An agreement to proceed with the proposed development according to the provisions of these zoning regulations and such conditions as may be attached to the rezoning and/or the conceptual plan of the land to LMD.
 - ~~e-~~ a. Conceptual plan drawn to scale containing: the title of the project and the names of the professional project planner and the developer; scale, date, north arrow and general location map; boundaries of the property involved, all existing streets, buildings, water courses, easements, section lines and other existing important physical features in and adjoining the project; locations of the different uses proposed, including off-street parking and off-street loading locations, lighting, dumpster locations; conceptual plan showing access and traffic flow and how vehicular traffic will be separated from pedestrian and other types of traffic; tabulations of total gross acreage in the development and the percentages thereof proposed to be devoted to the several dwelling types, other proposed uses,

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streets and other reservations; tabulations demonstrating the project densities and the proposed number and types of dwelling units; tabulations demonstrating the intensity in square feet of non-residential uses by type. This conceptual plan shall become a part of the application and shall form the basis for the approval of the rezoning.

d. b. Preliminary building elevations drawn to scale depicting the overall design concept including a description of style and materials to be used.

e. c. Landscape plan pursuant to Chapter 154.

- (2) **Review by Site Plan Review Committee, Planning and Zoning Board and City Council.** The Planning and Zoning Board and the City Council shall proceed in general as for other applications for rezoning and site plan approval.
- (N) **Final Plan Required.** A final plan shall be submitted within two (2) years of conceptual plan approval. Final plans shall proceed as for an application for site plan approval subject to the provisions of sections 158.235 through 158.245. For phased applications, final plans shall be submitted within one year of the date of commencement of that phase. The City Council may grant one-year extensions of final plan deadlines upon due cause being shown.
- (O) **Compliance With Conditions.** As set forth in section 158.262.
- (P) **Changes to Conceptual Plan.** Any change to the conceptual plan and/or changes to proposed uses, is subject to the newspaper notice and public hearing requirements as set forth for rezonings in this chapter and shall be submitted to the Site Plan Review Committee and the Planning and Zoning Board for review and recommendation, and the recommendations of the committee and board shall be entered into the official record of the application and shall be considered by the City Council prior to the taking of official action upon application.

Section 3. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 4. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

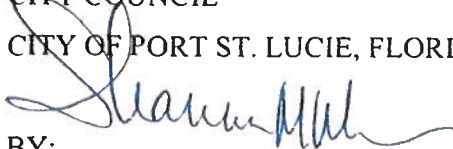
1 st Reading	2 nd Reading
Item: 10F	Item: 8F
Date: 11/22/21	Date: 12/6/21


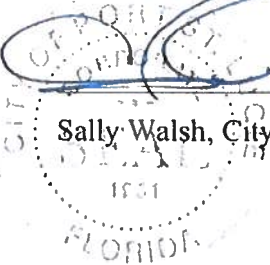
ORDINANCE 21-118

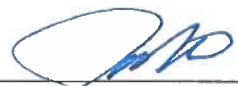
Section 5. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

Section 6. Effective Date. This Ordinance shall become effective immediately upon final adoption on second reading.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this 6th day of December 2021.

CITY COUNCIL
 CITY OF PORT ST. LUCIE, FLORIDA

 BY: _____
 Shannon M. Martin, Mayor

ATTEST:

 Sally Walsh, City Clerk


APPROVED AS TO FORM:

 James D. Stokes, City Attorney

ORDINANCE 22-

AN ORDINANCE AMENDING ORDINANCE NO. 21-118 TO CORRECT A SCRIVENER’S ERROR IN TITLE XV “LAND USAGE”, ARTICLE XV “LAND USAGE” CHAPTER 158 “ZONING CODE”, SECTION 158.155 “LIMITED MIXED USE ZONING DISTRICT (LMD) OF THE CODE OF ORDINANCES OF THE CITY OF PORT ST. LUCIE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida adopted amendments to the City of Port St. Lucie Comprehensive Plan by Ordinance 12-19 (the “Comprehensive Plan”); and

WHEREAS, Section 163.3202, Florida Statutes, provides for the amendment and enforcement of land development regulations that are consistent with and implement the adopted comprehensive plan; and

WHEREAS, Section 163.3174, Florida Statutes, provides that the Local Planning Agency shall review proposed land development regulations and make recommendations to the governing body as to the consistency of the proposed land development regulations with the adopted Comprehensive Plan; and

WHEREAS, on December 6, 2021, the City Council previously passed and adopted Ordinance No. 21-118, a City initiated code amendment (P21-073), amending section 158.155 to provide consistency with the Comprehensive Plan, thereby, deleting the permitted and special exception uses listed in the Institutional (I) Zoning District from the Limited Mixed Use Zoning District (LMD) and revising the use classification “institutional” to read “enclosed assembly areas” under Section 158.155(A); and

WHEREAS, the City has learned that a scrivener’s error has been made in the language of code section 158.155(D) in Ordinance No. 21-118; and

WHEREAS, the City wishes to correct the scrivener’s error contained in Ordinance No. 21-118 by adding the omitted sections 158.122(D)(4) and 158.122(D)(5), which were inadvertently deleted. Correction of said scrivener’s error will not alter the purpose and intent of Ordinance No. 21-118 adopted by the City Council.

WHEREAS, the City of Port St. Lucie Planning and Zoning Board having been duly designated as the local planning agency pursuant to Section 163.3174, Florida Statutes, and

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Additions to text are indicated by underline; deletions by ~~strikeout~~.

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having held a public hearing thereon, has considered this proposed amendment to the Code of Ordinances (P21-073) and submitted its recommendations thereon to the City Council; and

WHEREAS, having considered the recommendations of the Planning and Zoning Board, the Port St. Lucie City Council has found and determined that the adoption of an amendment to section 158.155 will foster and preserve the public health, safety and welfare; improve and protect the environment and value and character of the community; and implement the adopted comprehensive plan.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. Amendment. Section 158.155 of the Code of Ordinances of the City of Port St. Lucie is amended as follows:

CHAPTER 158. – ZONING CODE

Sec. 158.155. - Limited Mixed Use Zoning District (LMD).

- (A) **Purpose.** It is the intent and purpose of the Limited Mixed Use Zoning District (LMD) to allow, upon specific application, the conversion of single-family residential lots of record to multi-family, enclosed assembly areas, professional/business office or limited retail uses in a planned manner consistent with the Comprehensive Plan. This district sets specific requirements for land assembly, off-street parking, drainage setbacks, access and buffering to insure a planned development which provides for the efficient and economical use of land, appropriate or harmonious variety in physical development, a high compatibility with adjacent existing and future development and which provides for safe and efficient access to major transportation facilities.
- (B) **Limited Mixed Use District Defined.** For the purpose of this chapter, a limited mixed use district (LMD) is defined as land planned under unified control and developed in a coordinated manner in one or more development phases according to an approved conceptual plan, and with programs for full maintenance and operations for facilities and improvements such as parking and driveways, drainage, buffers and landscaping.
- (C) **Permitted Principal Uses and Structures.** The following principal uses and structures are permitted:
- (1) Any permitted use listed in the professional zoning district (P).

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- (2) Any permitted use listed in the multiple-family residential zoning district (RM-11).
- (3) 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.
- (4) Restaurants 5,000 square feet or less (not including drive-through facilities) with or without an alcoholic beverage license for on premises consumption of alcoholic beverages in accordance with Chapter 110. The conceptual plan required under section 158.155(M)(1)(c) shall specify those areas of the building to be used for restaurants.

(D) Special Exception Use.

- (1) Any special exception use listed in the professional zoning district (P).
- (2) Any special exception use listed in the multiple-family residential zoning district (RM-11).
- (3) Retail plant nursery.
- (4) 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.
- (5) Any use exceeding five thousand (5,000) square feet.

(E) **Accessory Uses.** As set forth in section 158.217.

(F) **Minimum Lot Requirements/Maximum Residential Density.**

- (1) As set forth in the Comprehensive Plan, and pursuant to conceptual plan approval. In no case shall the minimum lot be less than twenty thousand (20,000) square feet.

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- (2) The maximum gross project density shall be eleven (11) units per acre.
 - (3) Properties located within conversion areas as defined by this chapter shall meet the requirements contained within the "City of Port St. Lucie Land Use Conversion Manual".
- (G) **Maximum Building Coverage.** Forty percent (40%), provided that the maximum impervious surface area does not exceed eighty percent (80%).
- (H) **Maximum Building Height.** Thirty-five (35) feet except for the ROI (Residential, Office, Institutional) conversion area as defined in the "City of Port St. Lucie Land Use Conversion Manual," lying on Port St. Lucie Boulevard, between Airoso Boulevard and US #1, where the maximum building height shall be one (1) story.
- (I) **Minimum Building Size and Minimum Living Area.**
- (1) Commercial and office buildings shall have a minimum total gross floor area of one thousand two hundred (1,200) square feet.
 - (2) Multiple-family dwelling: One (1) bedroom, seven hundred (700) square feet; efficiency or studio apartment, six hundred (600) square feet.
 - (3) Single-family dwelling: Minimum size house of one thousand four hundred (1,400) square feet.
 - (4) Townhouse dwelling: Eight hundred (800) square feet.
- (J) **Setback Requirements and Landscaping.**
- (1) **Front Setback.** Each lot shall have a front yard with building setback line of twenty-five (25) feet.
 - (2) **Side Setback.** Each lot shall have two side yards, each having a building setback line of ten (10) feet. A building setback line of twenty-five (25) feet shall be required when the yard adjoins a public road right-of-way.
 - (3) **Rear Setback.** Each lot shall have a rear yard with a building setback line of ten feet. A setback line of twenty-five (25) feet is required when the yard adjoins a residential land use or a public road right-of-way. A fifty-foot rear yard building setback line shall be required for two-story buildings adjacent to single family residential lots.

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- (4) **Landscaping Requirements.** Landscaping and buffering requirements are subject to Chapter 154. All mechanical equipment shall be screened from property zoned residential. This screening shall be designed as both a visual barrier and a noise barrier. The Site Plan Review Committee, Planning and Zoning Board and/or the City Council may require additional buffering or specify plant material.
- (K) **Off-Street Parking and Service Requirements.** As set forth in section 158.221.
- (L) **Special Standards for District Establishment and Internal Design.** In reaching recommendations and decisions as to rezoning land to LMD, the Planning and Zoning Board shall apply the performance standards for the appropriate conversion area contained in the "City of Port St. Lucie Land Use Conversion Manual."

In order to ensure the proposed uses are compatible with surrounding development, the City Council shall have the authority to place conditions or restrict activities based on the following:

- (1) Requirements as set forth in section 158.260;
 - (2) Access, requiring execution of agreements for joint access and/or cross access easements with adjacent property owners;
 - (3) Hours of operation;
 - (4) Compatible uses, excluding certain incompatible uses; and
 - (5) Site development details, including but not limited to the following; building elevations and locations, lighting, dumpster locations, etc.
- (M) **Procedures for Rezoning Land to Limited Mixed Use Zoning District (LMD).**
- (1) Application materials to be submitted in addition to those in the Conversion Area Manual:
 - a. Conceptual plan drawn to scale containing: the title of the project and the names of the professional project planner and the developer; scale, date, north arrow and general location map; boundaries of the property involved, all existing streets, buildings, water courses, easements, section lines and other existing important physical features in and adjoining the project; locations of the different uses proposed, including off-street parking and off-street loading locations, lighting, dumpster locations; conceptual plan showing access and traffic flow and how vehicular traffic

ORDINANCE 22-

will be separated from pedestrian and other types of traffic; tabulations of total gross acreage in the development and the percentages thereof proposed to be devoted to the several dwelling types, other proposed uses, streets and other reservations; tabulations demonstrating the project densities and the proposed number and types of dwelling units; tabulations demonstrating the intensity in square feet of non-residential uses by type. This conceptual plan shall become a part of the application and shall form the basis for the approval of the rezoning.

- b. Preliminary building elevations drawn to scale depicting the overall design concept including a description of style and materials to be used.
 - c. Landscape plan pursuant to Chapter 154.
- (2) **Review by Site Plan Review Committee, Planning and Zoning Board and City Council.** The Planning and Zoning Board and the City Council shall proceed in general as for other applications for rezoning and site plan approval.
- (N) **Final Plan Required.** A final plan shall be submitted within two (2) years of conceptual plan approval. Final plans shall proceed as for an application for site plan approval subject to the provisions of sections 158.235 through 158.245. For phased applications, final plans shall be submitted within one year of the date of commencement of that phase. The City Council may grant one-year extensions of final plan deadlines upon due cause being shown.
- (O) **Compliance With Conditions.** As set forth in section 158.262.
- (P) **Changes to Conceptual Plan.** Any change to the conceptual plan and/or changes to proposed uses, is subject to the newspaper notice and public hearing requirements as set forth for rezonings in this chapter and shall be submitted to the Site Plan Review Committee and the Planning and Zoning Board for review and recommendation, and the recommendations of the committee and board shall be entered into the official record of the application and shall be considered by the City Council prior to the taking of official action upon application.

Section 3. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 4. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

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Section 5. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

Section 6. Effective Date. This Ordinance shall become effective immediately upon final adoption on second reading.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this ____ day of _____, 2022.

CITY COUNCIL
CITY OF PORT ST. LUCIE, FLORIDA

BY: _____

Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney



Agenda Summary

2022-389

Agenda Date: 7/5/2022

Agenda Item No.: 8.a

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P20-177 Torino Parc (St. Matilda, LLC) - PUD Rezoning

Location: This property is located west of NW East Torino Parkway, north of NW West Blanton Boulevard, and south of the C-105 canal.

Legal Description: Port St. Lucie Section Forty-Six, First Replat of Tract F.

Request: This PUD (Planned Unit Development) rezoning application proposes to rezone 28.8 acres of property to allow for the development of 263, two-story, townhouse units.

Submitted By: Holly F. Price, AICP, Senior Planner, Planning & Zoning Department

Executive Summary: This PUD rezoning application proposes to rezone 28.8 acres of property to allow for the development of 263, two-story, townhouse units. This proposed density for this PUD is less than the previously approved 2006 PUD. All buildings are no more than two-floors in height.

Presentation Information: Staff will provide a presentation.

Staff Recommendation: Move that the Board recommend approval the PUD rezoning request as recommended by the Site Plan Review Committee (SPRC).

Alternate Recommendations:

1. Move that the Board recommend approval with conditions.
2. Move that the Board recommend denial.

Background: The Site Plan Review Committee (SPRC) recommended approval of the PUD on October 14, 2020.

Location of Project: West NW East Torino Parkway, north of NW West Blanton Boulevard, and south of the C-105 Canal.

Attachments:

1. Staff Report
2. PUD Document
3. Conceptual Master Plan
4. Neighbor Comments
5. Public Works Traffic Memo
6. Application & Deed
7. Staff Presentation

Legal: #6320, 8253



**Torino Parc Planned Unit Development (PUD)
 PUD Rezoning
 P20-177**



Project Location Map

SUMMARY

Applicant's Request:	PUD (Planned Unit Development) Rezoning for Torino Parc PUD to build 263 two-story townhouse units.
Applicant:	Engineering Design and Construction (EDC) / Bradley Currie, AICP
Property Owner:	St. Matilda, LLC
Location:	This property is located west NW East Torino Parkway, north of NW West Blanton Boulevard, and south of the C-105 canal.
Project Planner:	Holly F. Price, AICP, Senior Planner

Project Description

This PUD rezoning application proposes to rezone 28.8 acres of property to allow for the development of 263, two-story, townhouse units. The total proposed density is 9.13 dwelling units per acre. This property has a future land use designation of Medium Density Residential (RM) which allows up to 11 dwelling units per acre. This proposed density for this PUD is less than the previously approved 2006 PUD. All units are no more than two-floors in height.

2006 Approved PUD: The PUD that was approved in 2006 allowed for 316 multifamily units: 172, two-story, townhomes and 144 apartment or condominium units in a four-story building (P05-063). The overall density was 10.97 dwelling units per acre, the maximum allowed. In this proposed PUD, the number of units has been reduced by 53.

Neighborhood Meetings: The applicant held three neighborhood meetings over the past two years. The main issue of concern was the traffic generated by the proposed development. Staff has received phone calls and emails from neighbors indicating opposition to the increased traffic that will be generated. See attached e-mails. Traffic mitigation features includes the following: The applicant is proposing to add right-turn lane to corner of East Torino Parkway and Blanton Boulevard and a right and left turn lane to the project entrance on Blanton Boulevard. The City plans to build a roundabout at the intersection of Turtle Dove Lane and East Torino Parkway in 2023.

Townhouses: The two-story townhouses all have 4 bedrooms, a one-car garage, 2 exterior parking spaces, and a 13.5' deep rear yard area. The townhouses will be located on individual platted lots that may be owner-occupied or rentals.

Recreation Area: A total of .76 acres is proposed for recreation use that includes a 3,500 sq. ft. clubhouse, community swimming pool, dog park, and a playground.

Conceptual Master Plan: The Conceptual Master Plan is included in the PUD document (and below).



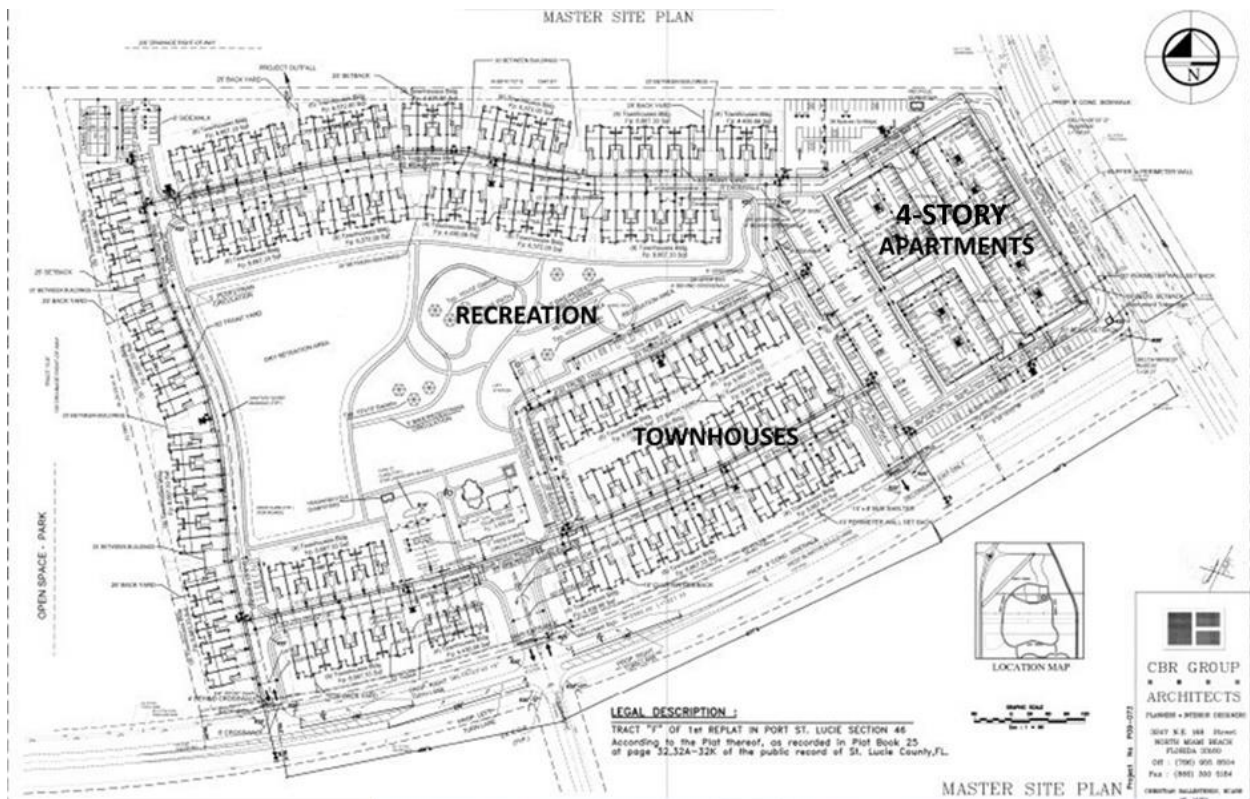
Proposed Master Conceptual Plan

Previous Actions and Reviews

P20-177 Torino Parc PUD - The Site Plan Review Committee recommended approval on October 14, 2020.

P05-063 Torino Pines PUD - This zoning application was approved by City Council on September 11, 2006 for 316 multifamily units: 172 townhouse units and 144 apartment units with a density of 10.9 dwelling units per acre.

P09-073 Torino Pines Site Plan – This site plan application was approved by City Council on October 26, 2009 for 316 multifamily units: 172 townhouse units and 144 apartment units with a density of 10.97 dwelling units per acre. In the illustration of the Site Plan below, the townhouses are to the left and the apartments are to the right. The apartments are 4-stories and 49.5 feet in height to top of roof. This site plan was granted an extension to 2014. The site plan has expired and is no longer valid.



2009 Approved Site Plan

Public Notice Requirements

Public notice was mailed to owners within 750 feet and the file was included in the published notification for the Planning & Zoning Board's agenda. See attached comments from neighbors.

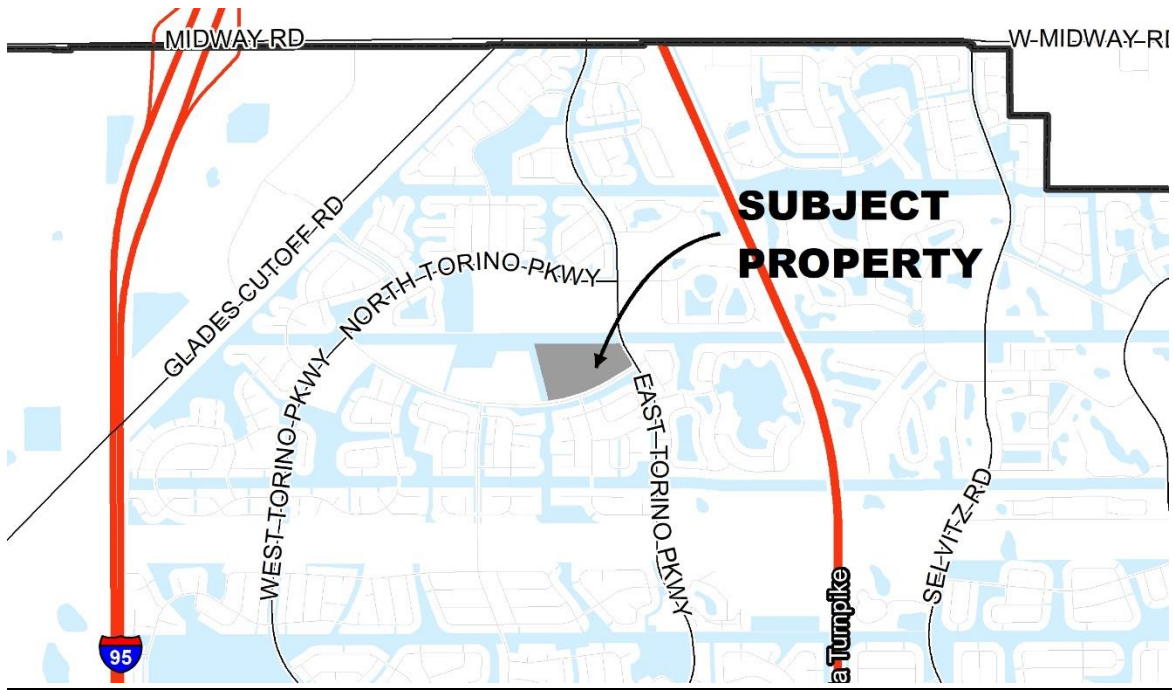
Location and Site Information

Parcel Number:	3420-731-0006-000-6
Property Size:	28.8 acres
Legal Description:	Tract "F" of the 1st Replat In Port St Lucie Section 46 According to the Plat Thereof, As Recorded In Plat Book 25 On Pages 32, 32a - 32k Of The Public Record Of St Lucie County, Florida.
Future Land Use:	RM (Medium Density Residential)
Existing Zoning:	PUD (Planned Unit Development)
Existing Use:	Vacant land
Proposed Use:	Multifamily Residential development

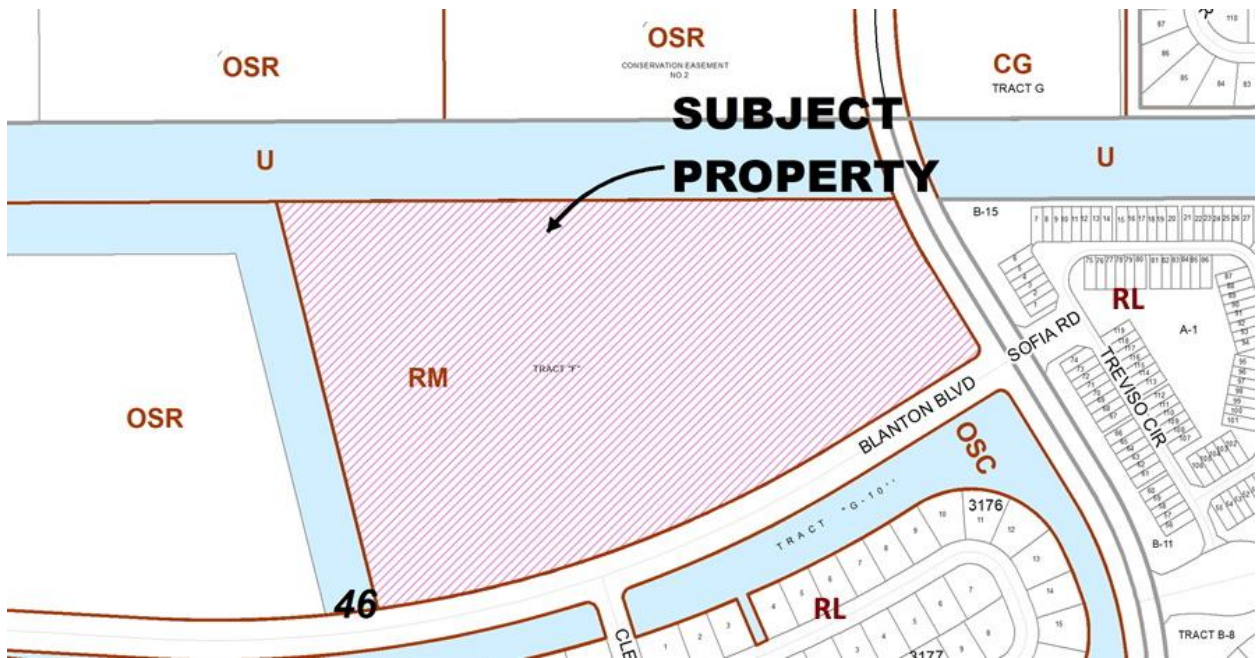
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	OSR	OSR	Vacant
South	RL	RS-2	Single-family residential
East	RL	PUD	Multifamily residential
West	OSR	OSR	Vacant land

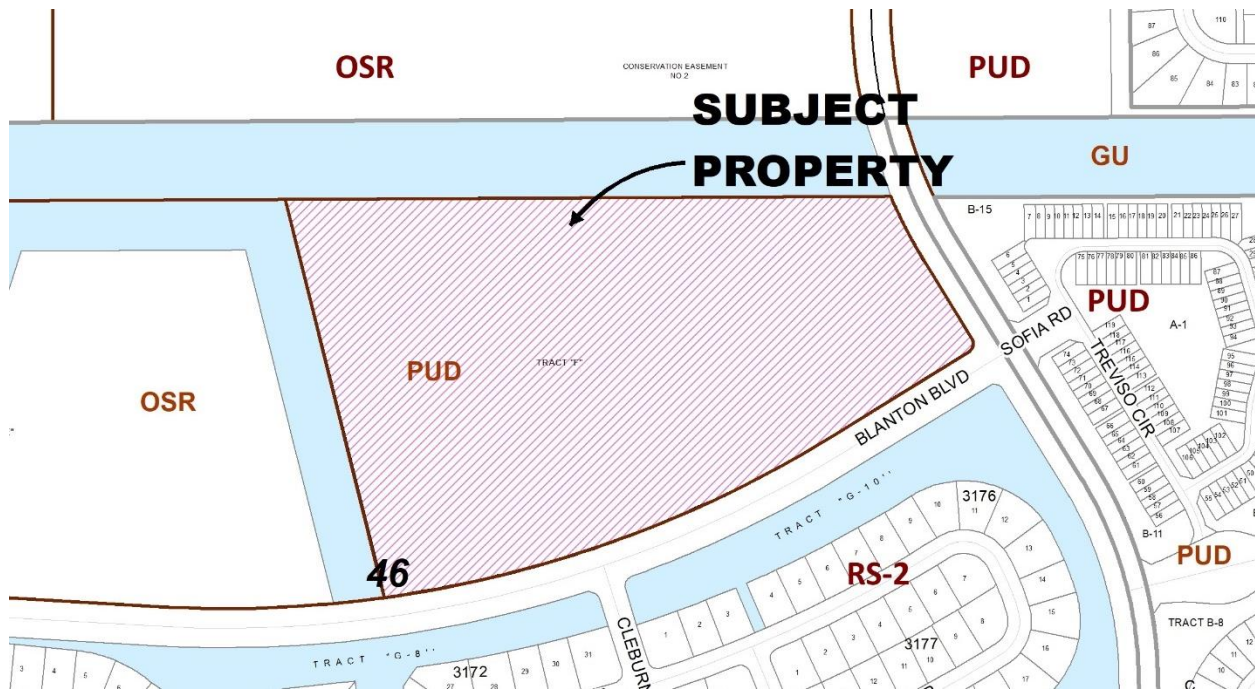
RL, Low Density Residential – OSR, Open Space Recreational - PUD, Planned Unit Development – RS-2, Single-Family Residential



Location Map



Future Land Use Map



Zoning Map

IMPACTS AND FINDINGS

NATURAL RESOURCE PROTECTION (Chapter 157)

Upland preservation/mitigation requirements. The applicant will be required to mitigate for upland preserve vegetation identified on the site. The Environmental Report indicated that approximately $\frac{3}{4}$ of the site consists of pine flatwoods. No wetlands were identified on the site. No sign of gopher tortoises was observed on site during the initial site survey.

Native Habitat/Tree Protection: At least 25% of the upland habitat is required to be preserved or mitigated through payment of a fee or offsite mitigation. The applicant is required to obtain a Clearing Permit prior to construction of the building.

Wildlife Protection: A site survey for gopher tortoises shall be conducted on all upland properties. If gopher tortoises are identified on the property, then the property must be surveyed for listed species associated with gopher tortoise burrows prior to obtaining a Clearing Permit.

PUBLIC WORKS TRAFFIC ANALYSIS REVIEW

This application and Traffic Report prepared by Susan O'Rourke Engineering & Planning dated June 20, 2022 has been reviewed by the Public Works Department and the transportation elements of the project were found to be in compliance with the adopted level of service and requirements of Chapter 156 of City Code, and Public Works Policy 19-01pwd.

The proposed PUD includes a 263 Townhome unit development. Per ITE Trip General Manual, this would generate a total of 134 PM Peak trips. The submitted traffic report indicates that the intersections of both North Torino Parkway and Blanton Blvd. with East Torino Parkway still only operate at a Level of Service D with the addition of this project trips counts. The Level of Service requirement for improvement within the city is a Level of Service E so this project is not triggering these type improvements.

However, the City has requested some mitigation improvements. The Conceptual Plan is showing the intention of constructing a left turn and right turn lane at the only entrance to the development on Blanton Blvd. and they are also proposing a right turn lane off East Torino Parkway to Blanton Blvd. In addition, the City plans to build a roundabout at the intersection of Turtle Dove Lane and East Torino Parkway in 2023.

COMPREHENSIVE PLAN REVIEW

Land Use Consistency (and Policy 1.1.4.10)

This PUD amendment is consistent with the direction and policies of the Comprehensive Plan. Policy 1.1.4.10 RM (Medium Density Residential) allows a maximum density of 11 dwelling units per acre or 316 units. The application proposes a maximum of 263 units which is a density of 9.13 dwelling units per acre.

STAFF RECOMMENDATION

The Site Plan Review Committee unanimously recommended approval of this PUD rezoning on October 14, 2020.

Planning and Zoning Board Action Options:

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with conditions
- Motion to recommend denial to the City Council

Please note: Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to *table* or *continue* the hearing or review to a future meeting.

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

PLANNED UNIT DEVELOPMENT AND REZONING APPLICATION

Torino Parc

For:
Saint Matilda, LLC
17111 Biscayne Blvd.
2105
North Miami Beach, FL 33160

City of Port St. Lucie Project No. P20-177
PSLUSD Project # 11-889-00

June 22, 2022

Prepared by:
Engineering Design & Construction, Inc.
10250 SW Village Parkway, Suite 201
Port St. Lucie, FL 34987

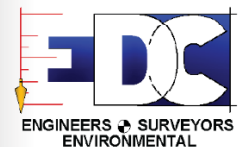


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LIST OF EXHIBITS

Exhibit 1	Application for PUD Concept Plan Approval
Exhibit 2	PUD Application Checklist
Exhibit 3	Letter of Unified Control
Exhibit 4	General Standards for District Establishment
Exhibit 5	Proposed Development Standards
Exhibit 6	Legal Description/ Warranty Deed
Exhibit 7	Binding PUD Agreement
Exhibit 8	PUD Conceptual Master Plan
Exhibit 9	PUD Conceptual Townhouse Building Footprint
Exhibit 10	Typical Townhouse Street Plan
Exhibit 11	Typical Landscape
Exhibit 12	FEMA Flood Map

PROJECT PROFESSIONALS

DEVELOPER:

Saint Matilda, LLC
Contact: George Medvedeff
17111 Biscayne Blvd., # 2105
North Miami Beach, FL 33160
(772) 879-9991

SURVEYING:

Engineering Design & Construction, Inc.
Contact: Michael T. Owen
10250 SW Village Parkway, Suite 201
Port St. Lucie, FL 34987
(772) 462-2455

ENGINEERING:

Engineering Design & Construction, Inc.
Contact: R.J. Kennedy, P.E.
10250 SW Village Parkway, Suite 201
Port St. Lucie, FL 34987
(772) 462-2455

PLANNING:

Engineering Design & Construction, Inc.
Contact: Bradley J. Currie, AICP
10250 SW Village Parkway, Suite 201
Port St. Lucie, FL 34987
(772) 462-2455

INTRODUCTION

Torino Parc PUD includes one (1) 28.80-acre parcel for which a proposed 263-unit townhome development is proposed. The subject parcel is located on the southeast corner of W. Blanton Boulevard and NW East Torino Parkway in Port St. Lucie, Florida.

Concurrently with this PUD application, a plat application has been submitted for review and approval by the City of Port St. Lucie.

This application is respectfully submitted to the Planning and Zoning Department of the City of Port St. Lucie for processing as a Planned Unit Development (“PUD”). The format will follow the outline presented in the PUD Zoning District Standards and Application requirements of the City Code.

EXHIBIT 1
CONCEPTUAL PUD APPLICATION
APPLICATION FOR PUD REZONING

FOR OFFICE USE ONLY:

CITY OF PORT ST. LUCIE

Planning & Zoning Department
121 SW Port St. Lucie Boulevard
Port St. Lucie, FL 34984

Planning Department _____
Fee (Nonrefundable) \$ _____
Receipt # _____

(561) 871-5212 Fax (561) 871-5124

For use only if property is zoned PUD and does not have approved concept plan. Application fee: \$1,800, plus \$10 for each acre or portion thereof. Fee is nonrefundable unless application is withdrawn prior to Planning & Zoning Board meeting. **Attach two copies of proof of ownership (i.e., warranty deed, affidavit).**

PROPERTY OWNER:

Name: Saint Matilda, LLC
Address: 17111 Biscayne Blvd., # 2105
North Miami Beach, FL 33160
Telephone: 772-879-9991 Fax: _____

AGENT OF OWNER (if any):

Name: Engineering Design & Construction, Inc.
Address: 10250 SW Village Parkway, Suite 201
Port St. Lucie, FL 34987
Telephone: (772) 462-2455

Legal description and location of property (attach sketch and/or survey):

TRACT F OF FIRST REPLAT IN ST. LUCIE SECTION FORTY-SIX ACCORDING TO THE PLAT
THEREOF, AS RECORDED IN PLAT BOOK 25, PAGE 32. 32A – 32K, OF THE PUBLIC
RECORDS OF ST. LUCIE COUNTY, FLORIDA.
CONTAINING 28.80 ACRES, MORE OR LESS

Parcel I.D.
Number: 3240-731-0006-000-6

 (Authorized Agent)
Signature of Applicant

June 9, 2022
Date

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

St. Matilda, LLC
1801 NE 123rd Street
Suite 307
North Miami, FL 33181

AGENT CONSENT FORM

Project Name: Torino Parc

Parcel ID: 3420-731-0006-000-6

BEFORE ME THIS DAY PERSONALLY APPEARED Emiliano Balague, WHO BEING DULY SWORN, DEPOSES AND SAYS THE FOLLOWING:

I hereby give CONSENT to Engineering Design & Construction, Inc. to act on my behalf, to submit or have submitted applications and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining all City, County and State permits for completion of the project indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application for the proposed use of a commercial development.

FURTHER AFFIANT SAYETH NOT.

The foregoing instrument was acknowledged before me this 11 day of September, 2020, by Emiliano Balague (Name of Person Acknowledging) who is personally known to me or who has produced passport (type of identification) as identification and who did (did not) take an oath.

Tara Melissa Allen

Notary Signature

Tara Melissa Allen

Printed Name of Notary



11/30/2022

My commission expires

Emiliano Fernandez Balague

Owner's Signature

Emiliano Fernandez Balague

Owner's Name

carlos calvo 3552

Street Address

bs as

City, State, Zip

emifernandezb@gmail.com

Telephone / Email

EXHIBIT 2

P.U.D. APPLICATION CHECKLIST

1. Statement of Unified Control of the entire area within the proposed P.U.D. is attached as Exhibit 3.
2. Torino Parc PUD is a proposed fee simple residential development.
3. The Conceptual Master Plan for Torino Parc is attached as Exhibit 8 of this submittal package.
4. 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 Exhibit 5.
5. The subject parcel was previously approved as a 316-unit multifamily residential PUD. The maximum density allowed for this property is 316-units. This proposed PUD is proposing a 263-unit fee simple townhome development for which a reduction in density is proposed. Due to this, there will have no additional impact on public facilities.

EXHIBIT 3
LETTER OF UNIFIED CONTROL

June 9, 2022

City of Port St. Lucie
121 SW Port St. Lucie Blvd.
Port St. Lucie, FL 34984

RE: TORINO PARC – PUD APPLICATION

To Whom It May Concern:

This letter is submitted as our Letter of Unified Control in compliance with the City of Port St. Lucie Zoning Regulations. Saint Matilda, LLC is the owner of record of the subject properties, pursuant to Corrective Special Warranty Deed recorded in Official Records Book 4351, Page 1723, Public Records of St. Lucie County, Florida, and copies of which are attached to this application.

Sincerely,

SAINT MATILDA, LLC



Patricia Sesta
Authorized Agent

EXHIBIT 4

GENERAL STANDARDS FOR DISTRICT ESTABLISHMENT

1. The area of Torino Parc PUD totals approximately 28.80 acres, exceeding the 2-acre minimum for the establishment of a P.U.D. within the City of Port St. Lucie.
2. Torino Park PUD is located on the southeast corner of NW Blanton Boulevard and NW East Torino Parkway within the City of Port St. Lucie. There is one (1) access point proposed for this development and one (1) proposed emergency entrance which are located off NW. Blanton Blvd.
3. Torino Parc PUD will have stormwater management provided by a master stormwater management system operated by the City of Port St. Lucie. The master stormwater system will be constructed and operated pursuant to South Florida Water Management District Environmental Resource Permit No. 56-00466-S.
4. Torino Parc PUD will be supplied with water and wastewater services by the City of Port St. Lucie Utility Services Department and will abide by and comply with all applicable Ordinances, policies, specifications and regulatory agencies governing such service. Furthermore, the P.U.D. will irrigate using a well.
5. This PUD application is consistent with the City of Port St. Lucie Comprehensive Land Use Plan.

EXHIBIT 5

PROPOSED DEVELOPMENT STANDARDS

1) DESIGN

a) PURPOSE

The purpose of this PUD is to help create an aesthetically and architecturally pleasing design with a unique and sustainable development pattern that enhances the experience of pedestrians and motorists within the Torino Parc community. In order to create the desired aspects of this community, the criteria contained within this document will be in effect for this development. In all areas not defined in this document, all underlying regulations of the City of Port St. Lucie Land Development Regulations that are in effect at the time of approval of this PUD by the City of Port St. Lucie City Council shall apply.

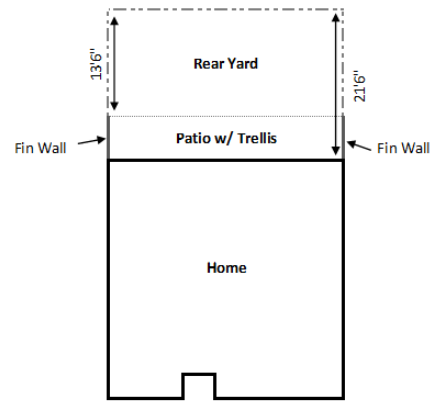
The existing zoning for this property is Planned Unit Development (PUD) which allows for 10.9 dwelling units per acre (316 units). The proposed PUD would allow for the 9.13 dwelling units per acre totaling 263 dwelling units. The proposed development includes 263 fee simple Townhome units. The project proposes a maximum building coverage not to exceed 35%. The future land use will remain as Residential Multifamily (RM). The site totals 28.80 acres.

2) PERMITTED PRINCIPAL USES

The intention of this Site Development Standards is to create provisions that are appropriate to ensure the proper development of a unique community like the Torino Parc PUD as established by the Conceptual Development Plan.

a. Townhomes

Two Hundred Sixty-Three (263) townhouses are proposed as part of this development. The townhomes are two stories in height and are 1,511 square feet per unit. Each townhome consists of four (4) bedrooms. All units will have a single car garage (217 sf) and two driveway parking spaces totaling three (3) parking spaces per unit. Each townhouse provides a minimum 13' 6" deep private rear yard.



b. Recreational Areas

The recreational areas are intended for the use of the residents and their families for community and family activities. These areas are designed on the conceptual plan and will include the following amenities:

- Clubhouse (3,500 square feet minimum)
- Community Pool
- Dog Park
- Tot Lot

The proposed Recreation Area for this townhome development totals 0.76 acres

3) ACCESSORY USES

a) Recreational Vehicle Storage

Storage of recreational vehicle (RV) may be permitted within individual unit garages. Recreational vehicles too large for garages are to be stored off-site at the expense of the individual owner. No outdoor RV storage is permitted.

b) Rear Yard & Accessory Structures

- i) Each townhouse will have a private patio in the rear yard. The maximum depth of the rear yard from the proposed patio (fin wall) to the property line is 13' 6" with a maximum width of 35'. The patio and rear yard as depicted in the exhibit (right) could be screened or unscreened. All three (3) sides of rear yard may be screened. Structures will be black

powder coated chain link or white vinyl material and complimentary to building architecture and should not exceed 6'. No other paved areas are allowed.

- ii) Accessory uses such as hot tubs are allowed within the limits noted for covered patio areas or rear yards and must be screened from view with an opaque fence. Outdoor storage structures are prohibited. Uses not identified in the PUD are not permitted.

4) MAXIMUM BUILDING COVERAGE

Overall site

- a. Maximum Building Coverage: Not to exceed 35%
- b. Maximum Impervious Area: Not to exceed 70.55%
- c. The Torino Parc PUD shall comply with City Land Development Regulations Chapter 157 Natural Resource Protection and Chapter 152, Flood Plain Management.

5) MAXIMUM BUILDING HEIGHT

(35) Thirty-five feet building height as per City code

6) MINIMUM BUILDING AREA

Minimum Building Gross Square Footage: 1,700 sf (including garage)

Minimum Air-Conditioned Space: 1,500 sf

7) BUILDING CONFIGURATION

- a) No less than three (3) townhouse dwellings and no more than eight (8) townhouse dwellings shall be contiguous. No more than two (2) contiguous townhouse dwellings shall be built in a row with a common front building line, and the minimum difference in building line setback to provide variation shall be five (5) feet. No contiguous group of dwellings shall exceed two hundred forty (240) feet in length.

8) YARD REQUIREMENTS

- a) Setbacks
 - i) Front: 25' (min)
 - ii) Interior Side: 0' (min)
 - iii) Exterior Side: 10' (min)
 - iv) Rear: 13.5' (min)
- b) Minimum Townhome Lot Size
 - i) 2,125 sf (min)

9) ROADWAYS, PARKING AND PEDESTRIAN FACILITIES

Each element identified below is designed to establish a friendly atmosphere for pedestrians, motorists and cyclists. Care should be taken in the application of each of these elements with regards to site-specific issues.

i) Roadways

All project roads and ROW's within the development will be private and will be maintained by the Home Owner's Association.

ii) Vehicular Areas and Parking

(1) The project's parking shall comply with the City of Port St. Lucie's parking specifications.

The parking concept is based on a combined use of parking garages and exterior parking in driveways fronting the individual townhomes. Driveway length is a minimum of 25 feet excluding sidewalks and a minimum width of 10 feet. This provides two guest parking stalls per townhome unit. Additional guest parking associated with the townhomes is provided along several neighborhood roads equivalent to one (1) parking space per every five (5) units. Required guest parking stalls totals 53 spaces and 60 spaces are proposed. The number of handicap spaces will be according to the City standards and ADA code.

iii) Walkways and Pedestrian Connections

The Torino Parc PUD shall have pedestrian connections to all areas within the PUD to the

right-of-way which connects to nearby parks.

- (1) The front entrance to each building on a site shall have a direct sidewalk connection to parking or vehicular use areas as well as to recreational facilities.
- (2) Walkways are to be a minimum of five (5)' in width. A seven and a half (7.5') minimum landscape strip shall be provided between the sidewalks and private right-of-way. All sidewalks will be ADA compliant including those adjacent to parking areas.
- (3) Benches shall be incorporated into the design of open area pedestrian walkways.
- (4) All pedestrian circulation areas are to be adequately lighted within pedestrian scale light fixtures not to exceed a mounting height of 12 feet.
- (5) Curb cuts are to be provided to all vehicular areas designated for pedestrian crossings.
- (6) Pedestrian crossings shall be clearly delineated by the use of striping or decorative concrete pavers.
- (7) Areas shall be designated for bicycle parking to allow a minimum of eight (8) bicycles at all recreational areas.

10) DESIGN STANDARDS

a) Bus Pick Up and Drop Off

A bus pick-up and drop off area shall be designed as part of the Torino Parc PUD.

b) Site Lighting Standards

i) All lighting shall be specified so as to provide a unified design for the overall PUD.

(1) Parking lot lighting shall not exceed 12 feet in height.

(2) Lighting shall be provided on walkway connections and pedestrian areas along building frontages. Pedestrian lighting shall not exceed a mounting height of 12 feet and shall be provided at regular intervals.

(3) All lighting shall be shielded and directed away from adjacent residential units.

c) Signage Standards

i) All signs shall be designed so as to provide a unified design throughout the PUD and be consistent with the architectural design theme.

(1) All signs shall conform to the standards set forth by the City of Port St. Lucie Sign

Regulations.

(2) All traffic signs shall meet FDOT and MUTCD standards.

d) Storage Areas and Site Utilities

The service areas shall be designed and located so as not to obstruct access and to be architecturally integrated into the building's overall design. All infrastructures, pipes, equipment and other mechanical equipment shall be disguised or camouflaged to ensure unique and visually appealing buildings. Electric meters shall not be located on face of building facing a street.

(1) No landscaping other than sod may be planted within a 5' radius maintenance area of any PSLUSD appurtenance such as water meters, backflow devices, fire hydrants, sanitary sewer cleanouts and manholes, air release valves, etc.

(2) Refuse service is to be performed on a per unit pickup basis for the townhomes. Refuse and recycle dumpsters per Waste Pro or other provider.

(3) All power lines will be underground.

e) Drainage Statement:

Stormwater will be collected by swales, inlets and culverts and conveyed to the proposed lakes. Discharge will be to the existing canal right-of-way to the north of the project. SFWMD requirements for water quality and quantity treatment will be met. A modification to the Sharrett surface water management permit is required.

f) Traffic Study:

Although the traffic study indicates that the surrounding roadway network will continue to operate at the existing level of service after build-out, a right and left turn lane will be constructed NW Blanton Boulevard along with a right turn lane on NW East Torino Parkway as part of the project. These improvements are illustrated on the conceptual plan.

11) LANDSCAPE DESIGN STANDARDS (EXHIBIT 14)

a) Perimeter Buffers

Landscape Buffers shall be provided as a visual screen from adjacent uses. Landscape

buffers shall be provided as follows:

A minimum 10-foot landscape buffer shall be provided along the north, west, east and south parcel limits. This buffer shall include a continuous hedge a minimum 24-inches in height at the time of planting except where pedestrian or vehicular access is proposed. The buffer shall also include one (1) understory tree per 90 linear feet with a minimum 1" caliper. Provided buffer includes one (1) canopy tree planted 30 feet on center with minimum caliper of 2 ½ inch as outlined in the City of Port St. Lucie Landscape code.

- b) Streetscape, Townhouse and Multi-Family Buildings and Clubhouse Plantings
 - a. Trees will be planted as outlined in the in Exhibit 14, attached.
 - b. Trees will be planted at one (1) tree per 3,000 sf of active recreation area.
- c) General Landscaping Information
 - i) All other landscaping shall conform to the City of Port St. Lucie Land Development Code.
 - ii) No trees shall be placed within ten (10) feet of the utilities.
 - iii) No landscaping shall be placed in a manner that would create conflicts with the intended operation and maintenance of any existing utility.
 - iv) Landscape is conceptual and subject to change at the time of subdivision or site plan review by SPRC.

12) PLANT MATERIAL LIST

All required landscape material shall be selected from the approved tree and shrub list from the City of Port St. Lucie Code.

13) BUILDING DESIGN STANDARDS

Citywide Design Standards apply to the Torino Park PUD

Architectural Theme:

The buildings in this project are an essential component of the design and will be integrated architecturally to promote and enhance the use of the public space. The distribution shall be made so as to have the buildings oriented to facilitate and welcome the pedestrian and vehicular access and also as to provide an unobstructed pedestrian connection with additional parking,

open space areas and recreational facilities.

The buildings are two (2)-story townhouses with attached garages. The facades are articulated with vertical offsets and horizontal banding and color. The façade features and materials stucco walls with horizontal banding in addition to window perimeter banding and decorative cornice banding.

14) FIRE DISTRICT IMPACT STATEMENT

The nearest fire station to the Torino Parc development is located on Milner Road. The station is approximately 2.5 miles from the Torino Parc development. There is a full access ingress / egress point illustrated on the conceptual site plan.

Water will be supplied to Torino Parc by the City of Port St. Lucie Utility Systems Department. The water mains are currently in place along East Torino Parkway and Blanton Boulevard. The water mains are 12" along each roadway and will adequately supply the development with water for fire service.

12) ENVIRONMENTAL STATEMENT

Upland preservation associated with this development will be mitigated for at the time of Commercial Compliance Review.

EXHIBIT 6

LEGAL DESCRIPTION

TRACT F OF FIRST REPLAT IN ST. LUCIE SECTION FOURTY-SIX, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25, PAGE 32, 32A THROUGH 32K, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

CONTAINING 28.80 ACRES, MORE OR LESS.

This Document Prepared By and Return to:

Jennifer Snyder, Esq.
Snyder International Law Group, P.A.
21500 Biscayne Blvd., Suite 401
Aventura, FL 33180

Parcel ID Number: 3420-731-0006-000-6

Warranty Deed

This Indenture, Made this 12 day of **November, 2019** A.D., Between **Magmar Development, L.L.C., a Florida limited liability company** of the County of **Broward**, State of Florida, **grantor**, and **Saint Matilda, LLC, a Florida limited liability company** whose address is: **1801 NE 123rd Street, Suite 307, North Miami, FL 33181** of the County of **Miami-Dade**, State of Florida, **grantee**.

Witnesseth that the GRANTOR, for and in consideration of the sum of -----**TEN DOLLARS (\$10)**----- DOLLARS, and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of **St. Lucie** State of **Florida** to wit:

Tract "F", of FIRST REPLAT IN ST. LUCIE SECTION FORTY-SIX, according to the Plat thereof, as recorded in Plat Book 25, Page 32, 32A through 32K, of the PublicRecords of St. Lucie County, Florida.

SITUATE IN THE COUNTY OF SAINT LUCIE, STATE OF FLORIDA.

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

Subject to:

Taxes subsequent to December 31, 2019, zoning restrictions, prohibitions and other requirements imposed by governmental authority, restrictions and easements of record, if any, provided that the foregoing shall not serve to impose or reimpose same.

In Witness Whereof, the grantor has hereunto set its hand and seal the day and year first above written.

19-1109

Signed, sealed and delivered in our presence:

Magmar Development, L.L.C., a Florida limited liability company

Printed Name: Samuel Snyder
Witness

By: [Signature] (Seal)
Julio Leonardo Pines Manager
P.O. Address: 5220 S University Drive, Suite C-102 Davie, FL 33328

Printed Name: JOAN C. HECTOR
Witness

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me this 12 day of **November, 2019** by **Julio Leonardo Pines, Manager of Magmar Development, L.L.C., a Florida limited liability company** who is personally known to me or who has produced his National ID as identification.

[Signature]
Printed Name: _____
Notary Public
My Commission Expires: _____



EXHIBIT 7


BINDING P.U.D. AGREEMENT

The property, as described on Exhibit 7, is under the control of Saint Matilda, LLC. The undersigned owner petitioner agrees to (1) proceed with the proposed development, according to the provisions of the Port St. Lucie P.U.D. Zoning Regulations; and (2) provide such 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. In addition, the said petitioner shall be responsible for the continuing operations and maintenance of such areas, functions and facilities until such time as a private property owners association, yet to be established, agrees to accept the same responsibilities. Such responsibilities are not to be provided or maintained at public expense. The petitioner further agrees to bind all successors in title to the commitments herein this paragraph made.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 9 day of June, 2022.

WITNESS:

SAINT MATILDA, LLC

BY: 
Bradley J. Currie

BY: 
Patricia Sesta (Authorized Agent)


BY: 
Steven Frink

EXHIBIT 8

PUD CONCEPTUAL MASTER PLAN

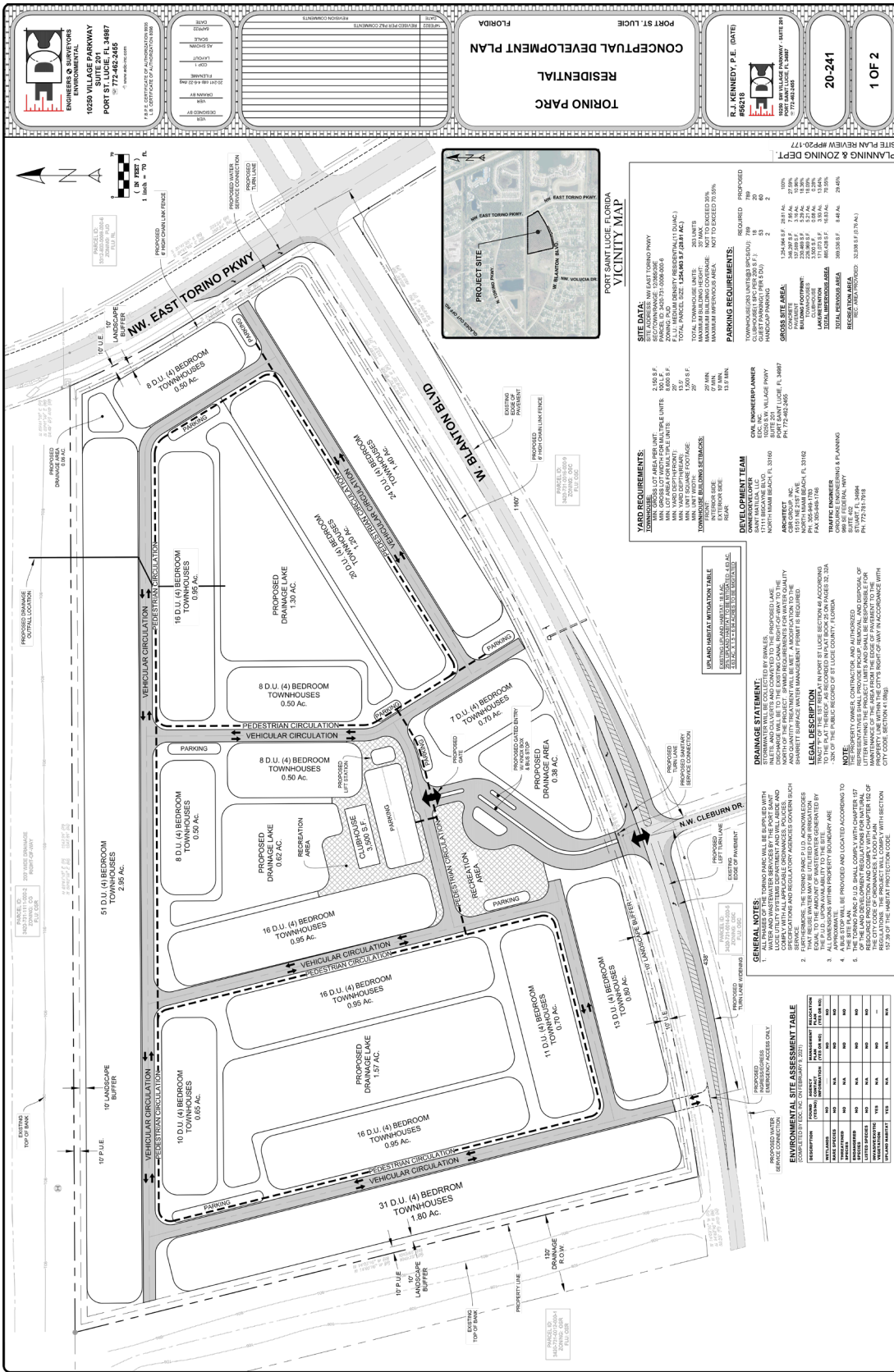
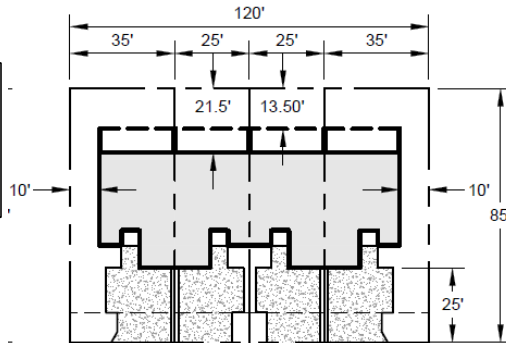


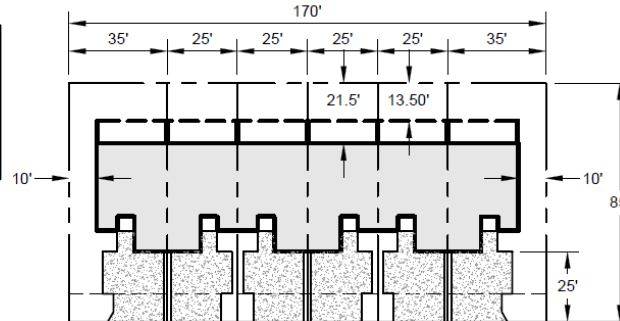
EXHIBIT 9

PUD CONCEPTUAL TOWNHOUSE BUILDING FOOTPRINT

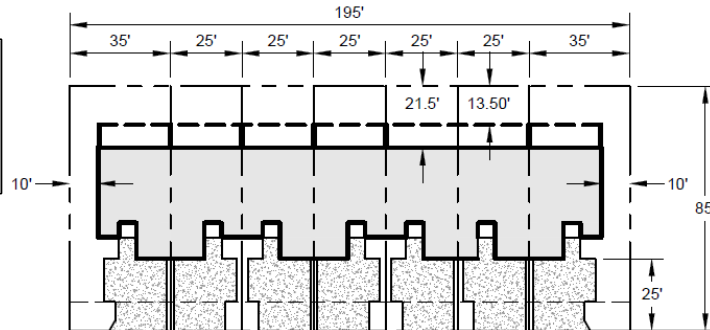
TYPICAL 4 UNIT
2 STORY



TYPICAL 6 UNIT
2 STORY



TYPICAL 7 UNIT
2 STORY



TYPICAL 8 UNIT
2 STORY

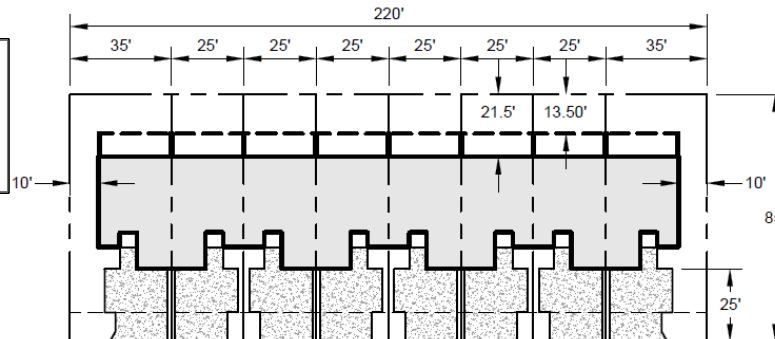
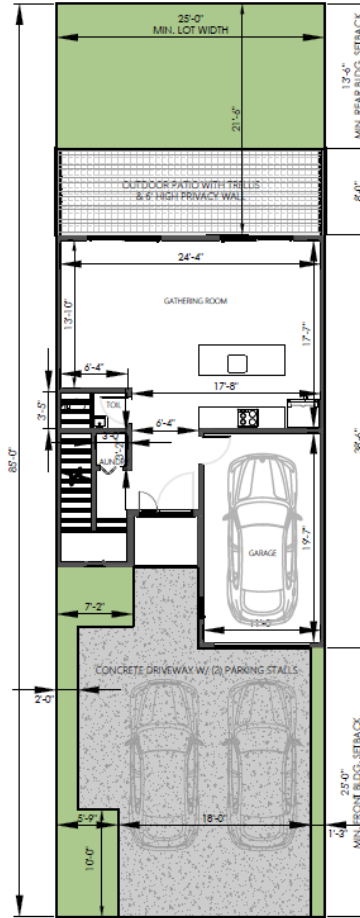
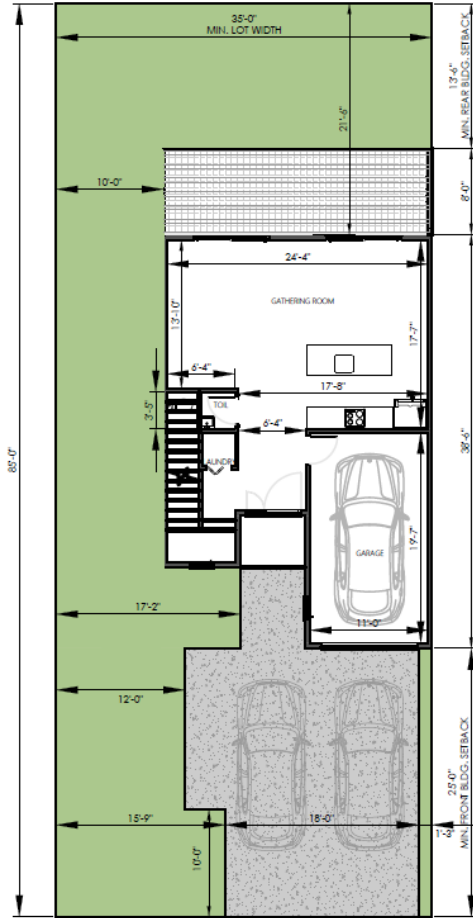


EXHIBIT 9A

PUD CONCEPTUAL TOWNHOUSE BUILDING FOOTPRINT (CONT.)



AREA OF 1ST FLOOR = 863.75 feet²
 AREA OF 2ND FLOOR = 863.75 feet²
 TOTAL AREA OF TOWNHOUSE = 1,727.50 feet²
 AREA OF GARAGE = 238 feet²
 ROOF HEIGHT = 19'-11"

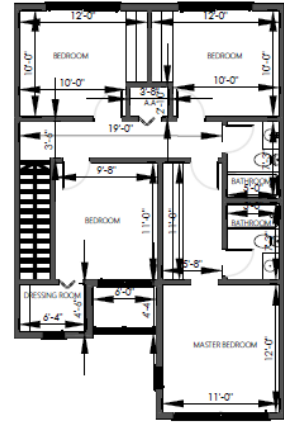
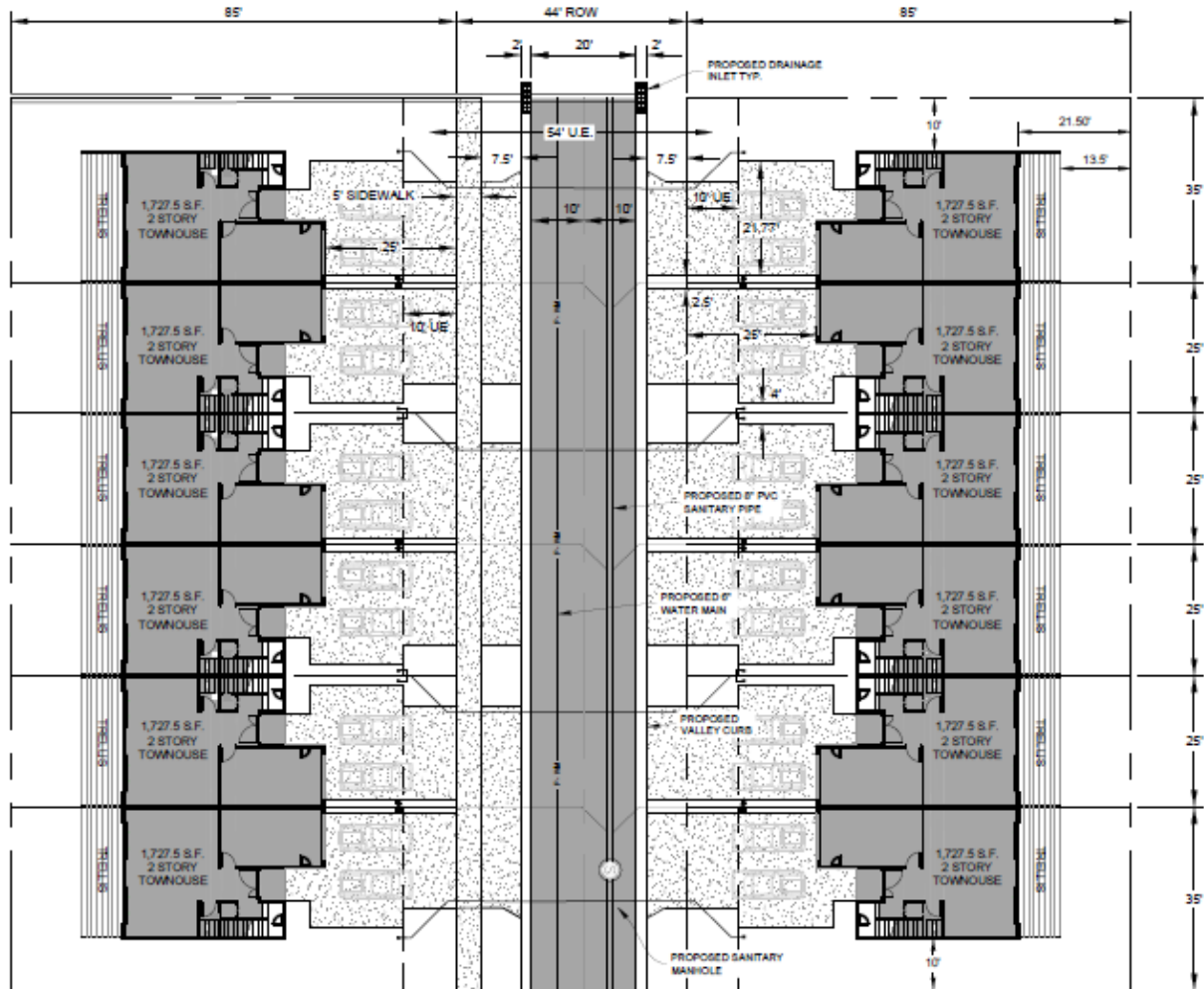


EXHIBIT 10

TYPICAL TOWNHOUSE STREET PLAN



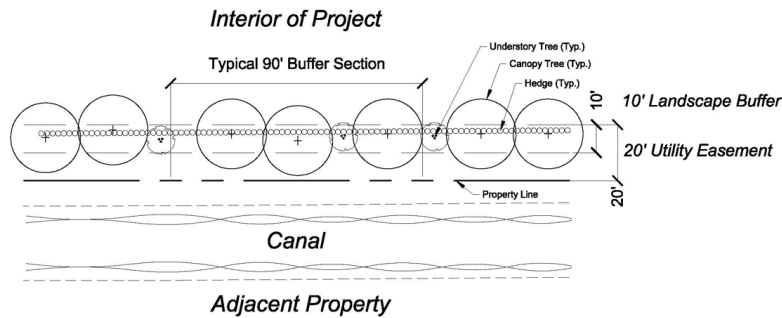
6 CLUSTER 2-STORY TOWNHOUSE
 TOTAL S.F. OF EACH UNIT = 1,727.5 S.F.

TYPICAL TOWNHOUSE STREET PLAN

SCALE 1"=20'

EXHIBIT 11

LANDSCAPE TYPICAL SECTIONS (PERIMETER BUFFERS)



Perimeter Landscaping Adjacent to Another Property

Trees

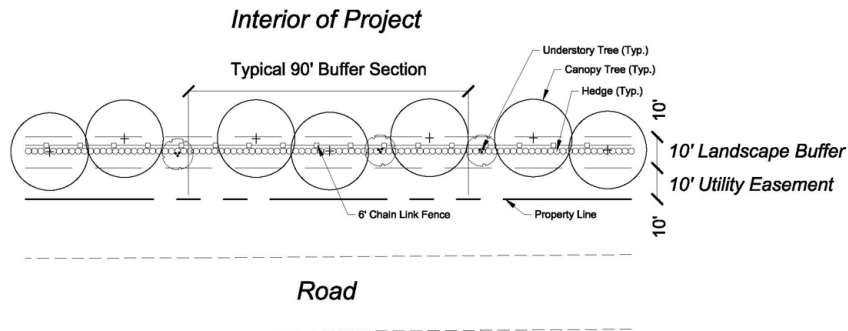
Required: (1 Tree/30 l.f.) - 90 l.f./30 = 3 Trees

Understory Tree

Required: (1 Tree/90 l.f.) - 90 l.f./90 = 1 Understory Tree

Shrubs

Required: Continuous Hedge 2' O.C. = 45 Shrubs



Perimeter Landscaping Adjacent to Road Right-of-way

Trees

Required - (1 Tree/30 l.f.)- 90 l.f./30 = 3 Trees

Understory Tree

Required: (1 Tree/90 l.f.) - 90 l.f./90 = 1 Understory Tree

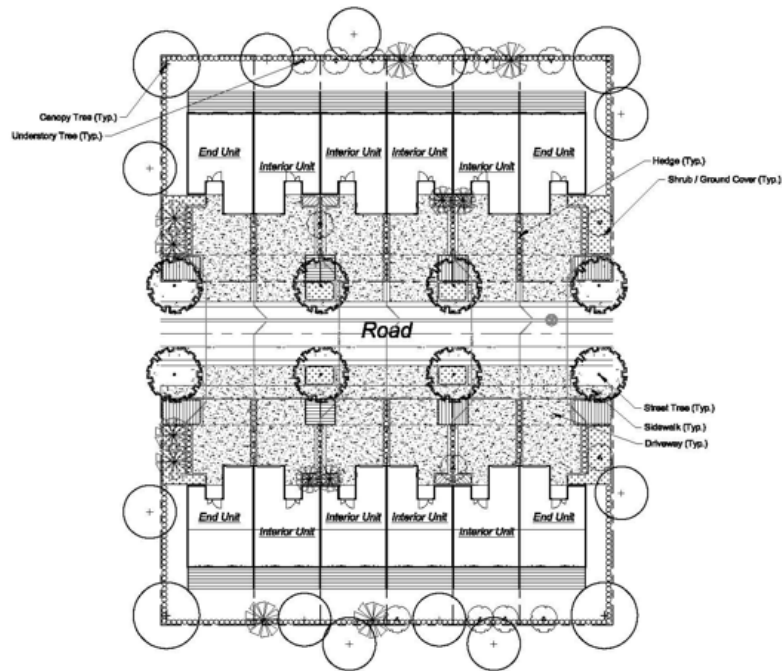
Shrubs

Required - Continuous Hedge 2' O.C. = 45 Shrubs

*** LANDSCAPE PLANS ARE CONCEPTUAL AND SUBJECT TO CHANGE AT TIME OF SUBDIVISION OR SITE PLAN REVIEW. UPLAND MITIGATION WILL BE MITIGATED FOR AT TIME OF COMPLIANCE REVIEW.

EXHIBIT 11 (CONT.)

LANDSCAPE TYPICAL SECTIONS (BUILDING FAÇADE TOWNHOMES)



Building Facades - Town Houses

End Units:

Trees (within 5 - 15 feet)

Required - 1 Tree / 30 l.f. of Building Perimeter
90 l.f. of Building Perimeter / 30 l.f. = 3 Trees

Shrubs (within 5 - 15 feet)

Require - 1 Shrub / 1.5 l.f. of Building Perimeter
Excluding Paved Access Areas = 55 l.f. / 1.5 = 37 Shrubs

Interior Units:

Trees (within 5 - 15 feet)

Required - 1 Tree / 30 l.f. of Building Perimeter
70 l.f. of Building Perimeter / 30 l.f. = 2 Trees

Shrubs (within 5 - 15 feet)

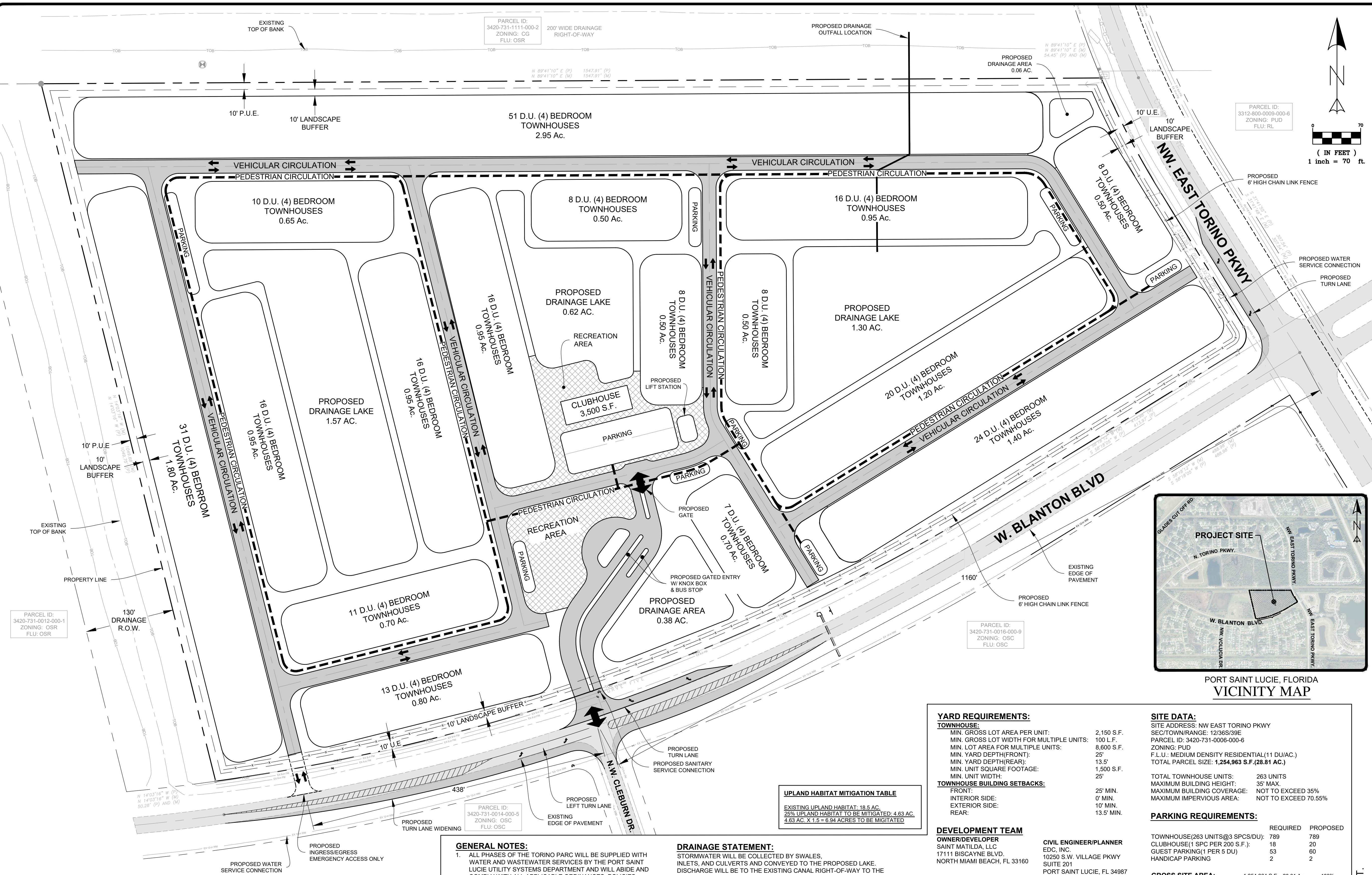
Require - 1 Shrub / 1.5 l.f. of Building Perimeter
Excluding Paved Access Areas = 32 l.f. / 1.5 = 22 Shrubs

Notes: 1. Palms can be provided @ 2:1 for Building Facades.

***2. Understory trees count 1:1 for Shade trees when adjacent to
Townhouse buildings in smaller planting areas and rear yards.***

*** ELEVATIONS ARE CONCEPTUAL AND SUBJECT TO CHANGE AT TIME OF SUBDIVISION OR SITE PLAN REVIEW.

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, IS AN INSTRUMENT OF SERVICE. IT IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADOPTION BY EDC, INC. SHALL BE WITHOUT LIABILITY TO EDC, INC.



EDC
ENGINEERS & SURVEYORS
ENVIRONMENTAL

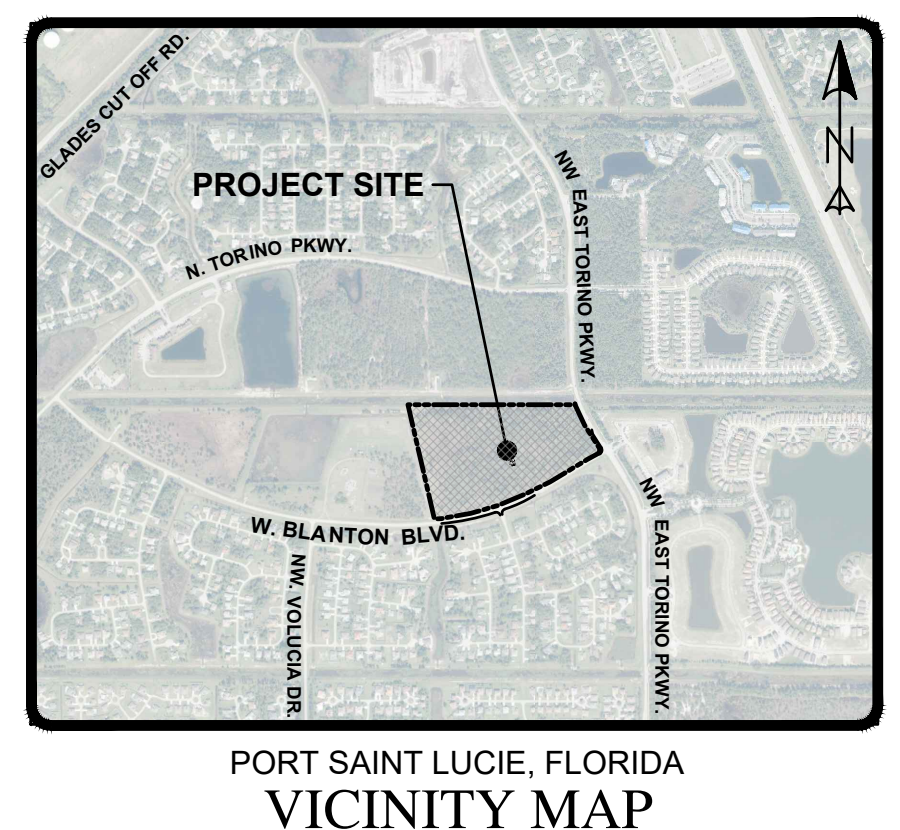
10250 VILLAGE PARKWAY
SUITE 201
PORT ST. LUCIE, FL 34987
772-462-2455
www.edc-inc.com

F.B.P.E. CERTIFICATE OF AUTHORIZATION 8935
L.B. CERTIFICATE OF AUTHORIZATION 8098

DESIGNED BY	VERIFIED BY	DRAWN BY	FILE NAME	LAYOUT	SCALE	DATE
			20-241-46-46-02.dwg	CDP 1	AS SHOWN	04/02/2020

TORINO PARC
RESIDENTIAL
CONCEPTUAL DEVELOPMENT PLAN

FLORIDA
PORT ST. LUCIE



YARD REQUIREMENTS:

TOWNHOUSE:
MIN. GROSS LOT AREA PER UNIT: 2,150 S.F.
MIN. GROSS LOT WIDTH FOR MULTIPLE UNITS: 100 LF
MIN. LOT AREA FOR MULTIPLE UNITS: 8,600 S.F.
MIN. YARD DEPTH (FRONT): 25'
MIN. YARD DEPTH (REAR): 13.5'
MIN. UNIT SQUARE FOOTAGE: 1,500 S.F.
MIN. UNIT WIDTH: 25'

TOWNHOUSE BUILDING SETBACKS:
FRONT: 25' MIN.
INTERIOR SIDE: 0' MIN.
EXTERIOR SIDE: 10' MIN.
REAR: 13.5' MIN.

DEVELOPMENT TEAM

OWNER/DEVELOPER
SAINT MATILDA, LLC
17111 BISCAYNE BLVD.
NORTH MIAMI BEACH, FL 33160

CIVIL ENGINEER/PLANNER
EDC, INC.
10250 S.W. VILLAGE PKWY
SUITE 201
PORT SAINT LUCIE, FL 34987
PH. 772-462-2455

ARCHITECT
CSR GROUP, INC.
15151 NE 21ST AVE.
NORTH MIAMI BEACH, FL 33162
PH. 305-949-1783
FAX 305-949-1746

TRAFFIC ENGINEER
OROURKE ENGINEERING & PLANNING
969 SE FEDERAL HWY
SUITE 402
STUART, FL 34994
PH. 772-781-7918

SITE DATA:
SITE ADDRESS: NW EAST TORINO PKWY
SEC/TOWN/RANGE: 12/36S/39E
PARCEL ID: 3420-731-0006-000-6
ZONING: PUD
F.L.U.: MEDIUM DENSITY RESIDENTIAL (11 DU/AC.)
TOTAL PARCEL SIZE: 1,254,963 S.F. (28.81 AC.)

TOTAL TOWNHOUSE UNITS: 263 UNITS
MAXIMUM BUILDING HEIGHT: 35' MAX.
MAXIMUM BUILDING COVERAGE: NOT TO EXCEED 35%
MAXIMUM IMPERVIOUS AREA: NOT TO EXCEED 70.55%

PARKING REQUIREMENTS:

	REQUIRED	PROPOSED
TOWNHOUSE (263 UNITS @ 3 SPCS/DU):	789	789
CLUBHOUSE (1 SPC PER 200 S.F.):	18	20
GUEST PARKING (1 PER 5 DU):	53	60
HANDICAP PARKING:	2	2

GROSS SITE AREA:

	REQUIRED	PROPOSED
CONCRETE PAVEMENT:	346,297 S.F. 7.95 Ac.	27,599 S.F. 0.63 Ac.
BUILDING FOOTPRINT:	137,589 S.F. 3.16 Ac.	10,966 S.F. 0.25 Ac.
TOWNHOUSE:	230,469 S.F. 5.29 Ac.	18,366 S.F. 0.42 Ac.
CLUBHOUSE:	226,969 S.F. 5.21 Ac.	18,099 S.F. 0.41 Ac.
LAKE/RETENTION:	3,500 S.F. 0.08 Ac.	13,644 S.F. 0.31 Ac.
TOTAL IMPERVIOUS AREA	885,428 S.F. 20.12 Ac.	70,555 S.F. 1.60 Ac.
TOTAL PERVIOUS AREA	369,536 S.F. 8.48 Ac.	29,455 S.F. 0.67 Ac.
RECREATION AREA	REC. AREA PROVIDED: 32,938 S.F. (0.76 AC.)	

UPLAND HABITAT MITIGATION TABLE

EXISTING UPLAND HABITAT: 18.5 AC.
25% UPLAND HABITAT TO BE MITIGATED: 4.63 AC.
4.63 AC. X 1.5 = 6.94 ACRES TO BE MITIGATED

GENERAL NOTES:

- ALL PHASES OF THE TORINO PARC WILL BE SUPPLIED WITH WATER AND WASTEWATER SERVICES BY THE PORT SAINT LUCIE UTILITY SYSTEMS DEPARTMENT AND WILL ABIDE AND COMPLY WITH ALL APPLICABLE ORDINANCES, POLICIES, SPECIFICATIONS AND REGULATORY AGENCIES GOVERN SUCH SERVICE.
- FURTHERMORE, THE TORINO PARC P.U.D. ACKNOWLEDGES THAT REUSE WATER MAY BE UTILIZED FOR IRRIGATION EQUAL TO THE AMOUNT OF WASTEWATER GENERATED BY THE P.U.D. UPON AVAILABILITY TO THE SITE.
- ALL DIMENSIONS WITHIN PROPERTY BOUNDARY ARE APPROXIMATE.
- A BUS STOP WILL BE PROVIDED AND LOCATED ACCORDING TO THE SITE PLAN.
- THE TORINO PARC P.U.D. SHALL COMPLY WITH CHAPTER 157 OF THE LAND DEVELOPMENT REGULATIONS FOR NATURAL RESOURCE PROTECTION AND COMPLY WITH CHAPTER 152 OF THE CITY CODE OF ORDINANCES, FLOOD PLAN REGULATIONS. THE PROJECT WILL COMPLY WITH SECTION 157.39 OF THE HABITAT PROTECTION CODE.

DRAINAGE STATEMENT:
STORMWATER WILL BE COLLECTED BY SWALES, INLETS, AND CULVERTS AND CONVEYED TO THE PROPOSED LAKE. DISCHARGE WILL BE TO THE EXISTING CANAL RIGHT-OF-WAY TO THE NORTH OF THE PROJECT. SFWMD REQUIREMENTS FOR WATER QUALITY AND QUANTITY TREATMENT WILL BE MET. A MODIFICATION TO THE SHARRETT SURFACE WATER MANAGEMENT PERMIT IS REQUIRED.

LEGAL DESCRIPTION
TRACT "F" OF THE 1ST REPLAT IN PORT ST LUCIE SECTION 46 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25 ON PAGES 32, 32A - 32K OF THE PUBLIC RECORD OF ST LUCIE COUNTY, FLORIDA

NOTE:
THE PROPERTY OWNER, CONTRACTOR, AND AUTHORIZED REPRESENTATIVES SHALL PROVIDE PICKUP, REMOVAL, AND DISPOSAL OF LITTER WITHIN THE PROJECT LIMITS AND SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE AREA FROM THE EDGE OF PAVEMENT TO THE PROPERTY LINE WITHIN THE CITY'S RIGHT-OF-WAY IN ACCORDANCE WITH CITY CODE, SECTION 41.08(g).

ENVIRONMENTAL SITE ASSESSMENT TABLE
(COMPLETED BY EDC, INC. ON FEBRUARY 9, 2021)

DESCRIPTION	FOUND (YES/NO)	AGENCY CONTACT INFORMATION	MANAGEMENT PLAN (YES OR NO)	RELOCATION PLAN (YES OR NO)
WETLANDS	NO	N/A	NO	NO
RARE SPECIES	NO	N/A	NO	NO
THREATENED SPECIES	NO	N/A	NO	NO
ENDANGERED SPECIES	NO	N/A	NO	NO
LISTED SPECIES	NO	N/A	NO	NO
INVASIVE/EXOTIC VEGETATION	YES	N/A	NO	---
UPLAND HABITAT	YES	N/A	N/A	N/A

PLANNING & ZONING DEPT.
SITE PLAN REVIEW #PPP20-177

R.J. KENNEDY, P.E. (DATE)
#56218

EDC

10250 SW VILLAGE PARKWAY - SUITE 201
PORT SAINT LUCIE, FL 34987
772-462-2455

20-241

1 OF 2

From: [Jeffrey Young](#)
To: [Holly Price](#)
Subject: project # P20-177
Date: Thursday, March 31, 2022 10:54:22 AM

Dear Holly Price,

I'm writing this in case i can't make it on April 5 to express my my frustration when I heard about this project taking place right behind my house. This project is going to far and this city needs to start caring about its residents. 263 units on the same size plot of land that my neighborhood sits on around 150 single family homes. That's 300 cars on avg is two people live in a house. 265 units would ad roughly 525 more cars on these roads not counting if people have children or another resident that drives. It already takes me 5 times longer to get out of Blanton onto Toronto now in the morning, not counting the back up at the light on Torino and Midway. I bought this home in Torino to get away from all the over development in West Palm Beach and now the City is thinking about putting a 263 unit town house community right behind my house a single family neighborhood. I STRONGLY URGE YOU NOT TO ALLOW A COMPANY TO COME IN AND OVER DEVELOP OUR SINGLE FAMILY NEIGHBORHOOD!!! I didn't spend \$500 dollars to look out my kitchen window and see a 263 unit complex and hearing 500+ cars going in and out up and down the street, its bad enough Blanton is a race track now.

Jeffrey Young
5742 NW Belwood Cirlee

From: [Diane Goldberg](#)
To: [Holly Price](#); [Shannon Martin](#); [David Pickett](#); [Jolien Caraballo](#); [Stephanie Morgan](#); [Anthony Bonna](#)
Subject: RE: Torino Park Traffic Report
Date: Monday, April 4, 2022 12:30:11 PM
Attachments: [image001.png](#)

The website below provides information on the traffic report for Torino Parc PUD P20-177 – townhomes. I attended the company's meeting where they said the 263 townhomes would have 4 bedrooms and be 1500 square feet. They said, though they plan to be for sale, they could be purchased to be rented out.

The traffic study says the project would only have a 3% impact on the roadways, including a 1% impact on the adjacent street. Perhaps this is possible if it include 24 hours, but at rush hours and through the day, this project will have a greater effect than this report claims. The report is probably basing its information on the entire community, which does not all use the area around Blanton & East Torino to drive during rush hours and busing schedules; both mornings and evenings. It also assumes the townhomes will be used by the same people who have single family homes in the community now, which it won't.

With 4 bedrooms and 1500 feet on two floors, the townhomes won't be used by retirees. These are starter homes for young families and rentals for as many as 4 students per unit. That means a minimum of 263 people will be using the road during rush hour if only one person works, but it is normal these days for both partners to work. With most families having two cars that means possibly and as many as 526 autos. If many of the townhomes are used by four students each who will have part-time jobs or classes to get to during peak hours, that means as many as 1000 autos. I think my estimates of between 263 to 1000 peak hour travelers are more likely than the traffic study.

Their study claims only 79 trips exiting and 25 trips entering the project during AM peak hours and 84 entering and 50 exiting during PM peak hours. Are all the rest of these residents working from home? Not likely. Do most of these people work or go to classes at odd hours? Not likely. Are they being paid to say what their employer's want them to? Definitely.

It is not only in emergencies that this development needs two exits/entrances with turn lanes one on both Blanton and E. Torino, so all the traffic leaving/entering won't all be on Blanton. The corner of Blanton & E. Torino can't handle all the traffic even if they have two exits on Blanton. They at least need an emergency exit with turn lanes on Torino too. You also need to have speed shelves/bumps (at least one on the north end) on Volucia Drive to discourage people using it as a through street to avoid traveling on E. Torino to go south and then again to come home. Without the speed deterrents the project would only devalue homes in the area.

Not only does this development need two exit/entries, it requires the east side of E. Torino to

have four lanes to accommodate all the additional traffic. We are already seeing an overabundance of traffic even now with the additional development along E. Torino.

Thank you for your consideration.

Please let me know your opinion on this matter,

Diane Goldberg
Torino Resident
digoldberg@bellsouth.net

From: Holly Price [mailto:HPrice@cityofpsl.com]
Sent: Tuesday, March 29, 2022 9:34 AM
To: digoldberg@bellsouth.net
Subject: Torino Park Traffic Report

Hello Ms. Goldberg,

RE: Torino Park PUD P20-177 - townhomes

As requested, here is the Traffic Report for this project:
<https://www.dropbox.com/s/kps0gtpip2ss0ky/torino%20parc%20traffic%20analysis%20s%26s%203.15.2022.pdf?dl=0>

Please contact Diana Spriggs, Public Works Division Director, if you have any questions about this report: 772 871-7644.

Regards,



Holly Price, AICP
Senior Planner
City of Port St. Lucie
PLANNING & ZONING DEPT.
121 S.W. Port St. Lucie Blvd.
Port St. Lucie, Florida 34984-5099
772.871.5019 direct | 772.871.5124 fax
hprice@cityofpsl.com

From: [Stuart Taylor](#)
To: [Shannon Martin](#); [David Pickett](#); [Christina Flores](#); [Brandon Dolan](#); [Holly Price](#)
Subject: East Torino Traffic
Date: Thursday, March 31, 2022 5:58:23 PM

Good evening from East Torino. Just trying to get home coming from Midway. This is an everyday occurrence and can't wait 500 more cars to add to this traffic jam.

Please copy to all the city commissioners. Thank you.

Rosemarie Taylor



Sent from my iPhone

From: [Stuart Taylor](#)
To: [Shannon Martin](#); [David Pickett](#); [Christina Flores](#); [Brandon Dolan](#); [Holly Price](#)
Subject: Good Morning Traffic on Torino
Date: Tuesday, March 29, 2022 7:41:06 AM

This is an everyday occurrence just to get to school and work. How about an emergency! Hope there's a common sense traffic plan before the additional 600+ plus cars from Torino Parc hit our roads. Please forward to all City Commissioners.



Sent from my iPhone

From: [Stuart Taylor](#)
To: [David Pickett](#); [Shannon Martin](#)
Cc: [Brandon Dolan](#); [Christina Flores](#); [Holly Price](#)
Subject: Torino Parc Meeting 3/25/22
Date: Friday, March 25, 2022 1:34:03 PM

Good morning,

We attended the informational meeting yesterday put on by EDC, Engineer Company.

While his presentation was informational the only change from the previous site plan was a reduction of units, 316 to 263. Big deal, still over 500 potential cars on our over burden roads in Torino. Mr. Curry's only traffic mitigation was turning lanes on the corner of Blanton and East Torino. He spoke of a traffic study done by people he hired. Really? Not acceptable. As many of us in the past and now have stated traffic is horrible here.... East Torino is like a highway and the planned round-about will not help one iota if this development is built.

We , as many others feel that the city leaders need step up and put the residents living here now, first. Accidents and racing is the norm along East Torino. Buses and bus stops are all along this road, as well as bikers and walkers. Does their safety mean anything to city leaders? Port St Lucie leaders love touting what a great place it is to live. Well not anymore when the tax dollars outweigh residents safety. The development does not need to be built at all. This development should be scrutinized by all residents in Torino not just the closest ones. It affects all of us.

With three townhouse developments and 2 large apartments already in the Torino area, we do not need another one. Seems like the Torino area is now a dumping ground for developers!

Stuart and Rosemarie Taylor
5762 NW Belwood Circle
772-340-4464

Sent from my iPhone



City of Port St. Lucie
PUBLIC WORKS DEPARTMENT
Accredited Agency - American Public Works Association



MEMORANDUM

TO: Holly Price, Planning & Zoning

FROM: Diana Spriggs, P.E. – Regulatory Division Director, Public Works

DATE: April 19, 2022

SUBJECT: P20-177 Torino Parc PUD
Traffic Generation, Stacking & Circulation Approval

This application and Traffic Report prepared by Susan O'Rourke Engineering & Planning dated March 15, 2022 has been reviewed by the Public Works Department and the transportation elements of the project were found to be in compliance with the adopted level of service and requirements of Chapter 156 of City Code, and Public Works Policy 19-01pwd.

The proposed PUD includes a 263 Townhome unit development. Per ITE Trip General Manual, this would generate a total of 134 PM Peak trips. The submitted traffic report indicates that the intersections of both North Torino Parkway and Blanton Blvd. with East Torino Parkway still only operate at a Level of Service D with the addition of this project trips counts. The Level of Service requirement for improvement within the City is a Level of Service E so this project is not triggering these improvements. The Conceptual plan is showing the intention of constructing a left turn and right turn lane at the only entrance to the development on Blanton Blvd. and they are also proposing a right turn lane off East Torino Parkway to Blanton Blvd.

P20-177

Torino Parc (St. Matilda, LLC)

TYPE	STATUS	BUILDING TYPE
PR	CUSTOMER RESPONDED	RES

ASSIGNED TO

Holly Price, John Kwasnicki, Michele Holler, Public Works Engineering

ADDRESS	PARCEL #
---------	----------

NW East Torino Pkwy.

SECTION	BLOCK	LOT
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46	Tr F	
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LEGAL DESCRIPTION

TRACT F OF THE 1ST REPLAT IN PORT ST LUCIE SECTION 46 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 25 ON PAGE 32, 32A-32K OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

SITE LOCATION

SW corner of W Blanton Blvd. & NW East Torino Parkway

CURRENT LANDUSE	PROPOSED LANDUSE	CURRENT ZONING	PROPOSED ZONING
RM		PUD	PUD

ACREAGE	NON-RESIDENTIAL SQ. FOOTAGE	NO. OF RESIDENTIAL UNITS
---------	-----------------------------	--------------------------

28.81

NO. OF LOTS OR TRACTS	NO. OF SHEETS IN PLAT
-----------------------	-----------------------

0	0
----------	----------

UTILITY PROVIDER

CITY OF PORT ST. LUCIE

DESCRIBE REQUEST

PUD Application for a 28.81 property known as Torino Park PUD.

Primary Contact Email

patriciasesta@edc-inc.com

AGENT/APPLICANT

FIRST NAME			LAST NAME
Brad			Currie
ADDRESS			
10250 SW Village Parkway, Suite 201			
CITY	STATE	ZIP	
Port St. Lucie	FL	34987	
EMAIL	PHONE		
bradcurrie@edc-inc.com	7724622455		

PROPERTY OWNER

FIRST NAME			LAST NAME
ADDRESS			
CITY	STATE	ZIP	
EMAIL	PHONE		

AUTHORIZED SIGNATORY OF CORPORATION

FIRST NAME			LAST NAME
Martin			Litwak
ADDRESS			
1801 NE 123rd Street, Suite 307			
CITY	STATE	ZIP	
North Miami	FL	33181	
EMAIL	PHONE		
weareremax@cs.com	7728799991		

PROJECT ARCHITECT/ENGINEER

FIRST NAME			LAST NAME
ADDRESS			
CITY	STATE	ZIP	
EMAIL	PHONE		

This Document Prepared By and Return to:

Jennifer Snyder, Esq.
Snyder International Law Group, P.A.
21500 Biscayne Blvd., Suite 401
Aventura, FL 33180

Parcel ID Number: 3420-731-0006-000-6

Warranty Deed

This Indenture, Made this 12 day of **November, 2019** A.D., Between **Magmar Development, L.L.C., a Florida limited liability company** of the County of **Broward**, State of Florida, **grantor**, and **Saint Matilda, LLC, a Florida limited liability company** whose address is: **1801 NE 123rd Street, Suite 307, North Miami, FL 33181** of the County of **Miami-Dade**, State of Florida, **grantee**.

Witnesseth that the GRANTOR, for and in consideration of the sum of -----**TEN DOLLARS (\$10)**----- DOLLARS, and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of **St. Lucie** State of **Florida** to wit:

Tract "F", of FIRST REPLAT IN ST. LUCIE SECTION FORTY-SIX, according to the Plat thereof, as recorded in Plat Book 25, Page 32, 32A through 32K, of the PublicRecords of St. Lucie County, Florida.

SITUATE IN THE COUNTY OF SAINT LUCIE, STATE OF FLORIDA.

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

Subject to:

Taxes subsequent to December 31, 2019, zoning restrictions, prohibitions and other requirements imposed by governmental authority, restrictions and easements of record, if any, provided that the foregoing shall not serve to impose or reimpose same.

In Witness Whereof, the grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Magmar Development, L.L.C., a Florida limited liability company

Printed Name: Conner Snyder
Witness

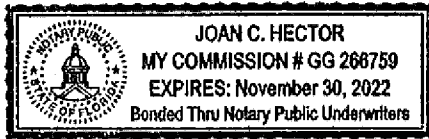
By: Julio Leonardo Pines (Seal)
Julio Leonardo Pines Manager
P.O. Address: 5220 S University Drive, Suite C-102 Davie, FL 33328

Printed Name: JOAN C. HECTOR
Witness

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before me this 12 day of **November, 2019** by **Julio Leonardo Pines, Manager of Magmar Development, L.L.C., a Florida limited liability company** who is personally known to me or who has produced his National ID as identification.

Joan C. Hector
Printed Name: _____
Notary Public
My Commission Expires: _____



Torino Parc Planned Unit Development (PUD) Rezoning (P20-177)

Planning and Zoning Board Meeting

July 5, 2022

Holly F. Price, AICP, Senior Planner

CityofPSL.com



Rezone property to PUD (Planned Unit Development) for a 263-unit multifamily development.

Applicant – Engineering Design & Construction (EDC)

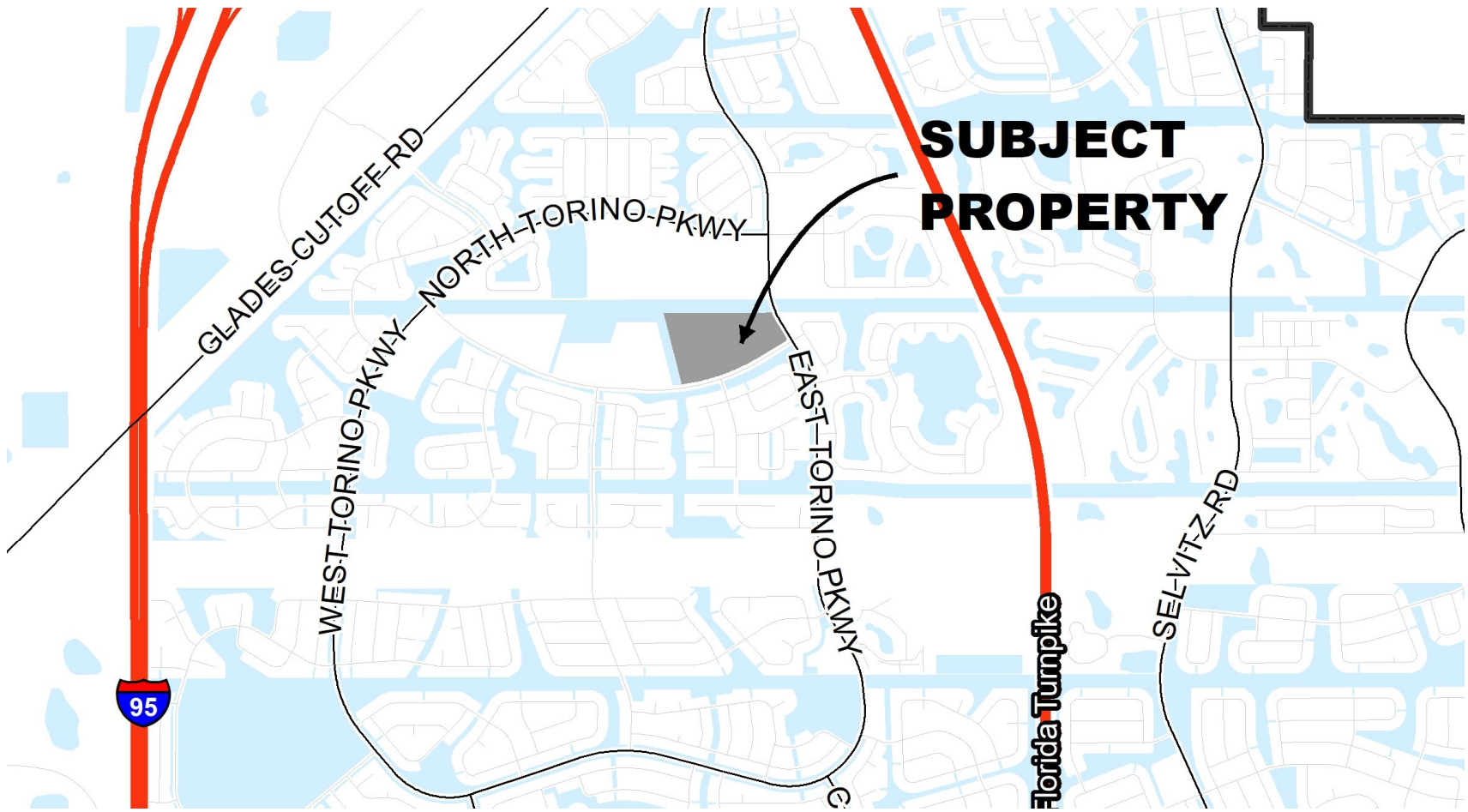
Agent – Bradley Currie, AICP

Owner – St. Matilda, LLC.

PROJECT DESCRIPTION

CityofPSL.com





LOCATION MAP

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Upland
Mitigation
Required

AERIAL

CityofPSL.com



Existing and Proposed Zoning: PUD

This project currently has a Planned Unit Development (PUD) zoning designation. This application is a PUD rezoning, rather than a PUD amendment, because the applicants are rewriting the content of the existing PUD document.

Existing Future Land Use: Medium Density Residential (RM)

Site Area: **28.8 acres**

Units: **263 Multifamily Units**

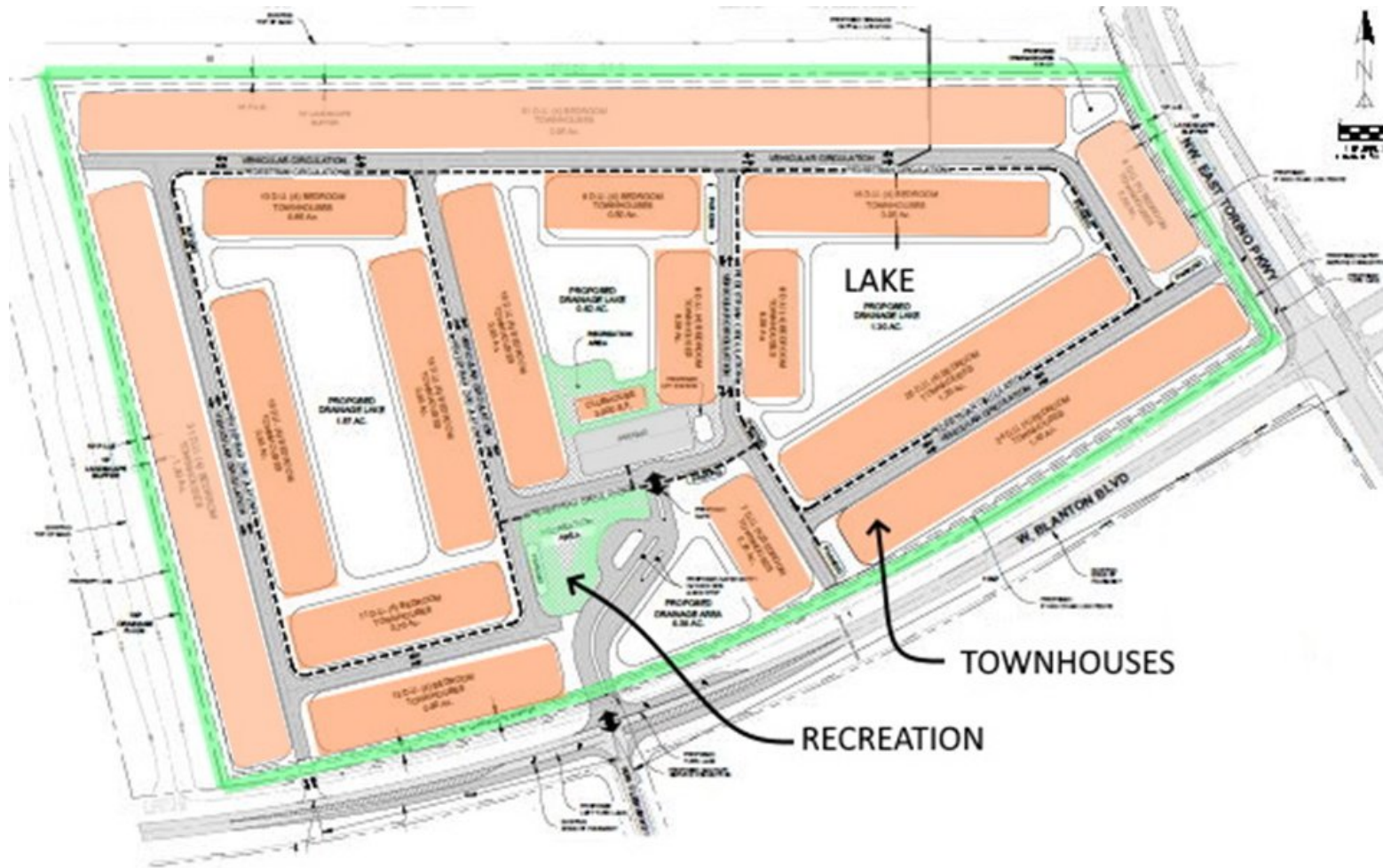
Density Proposed: 9.13 dwelling units per acre.

Density Allowed: 11 dwelling units per acre.

PROJECT DESCRIPTION

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Proposed Master Concept Plan

- 263 units
- 2-story townhouses
- Fee-simple

MASTER CONCEPT PLAN

CityofPSL.com



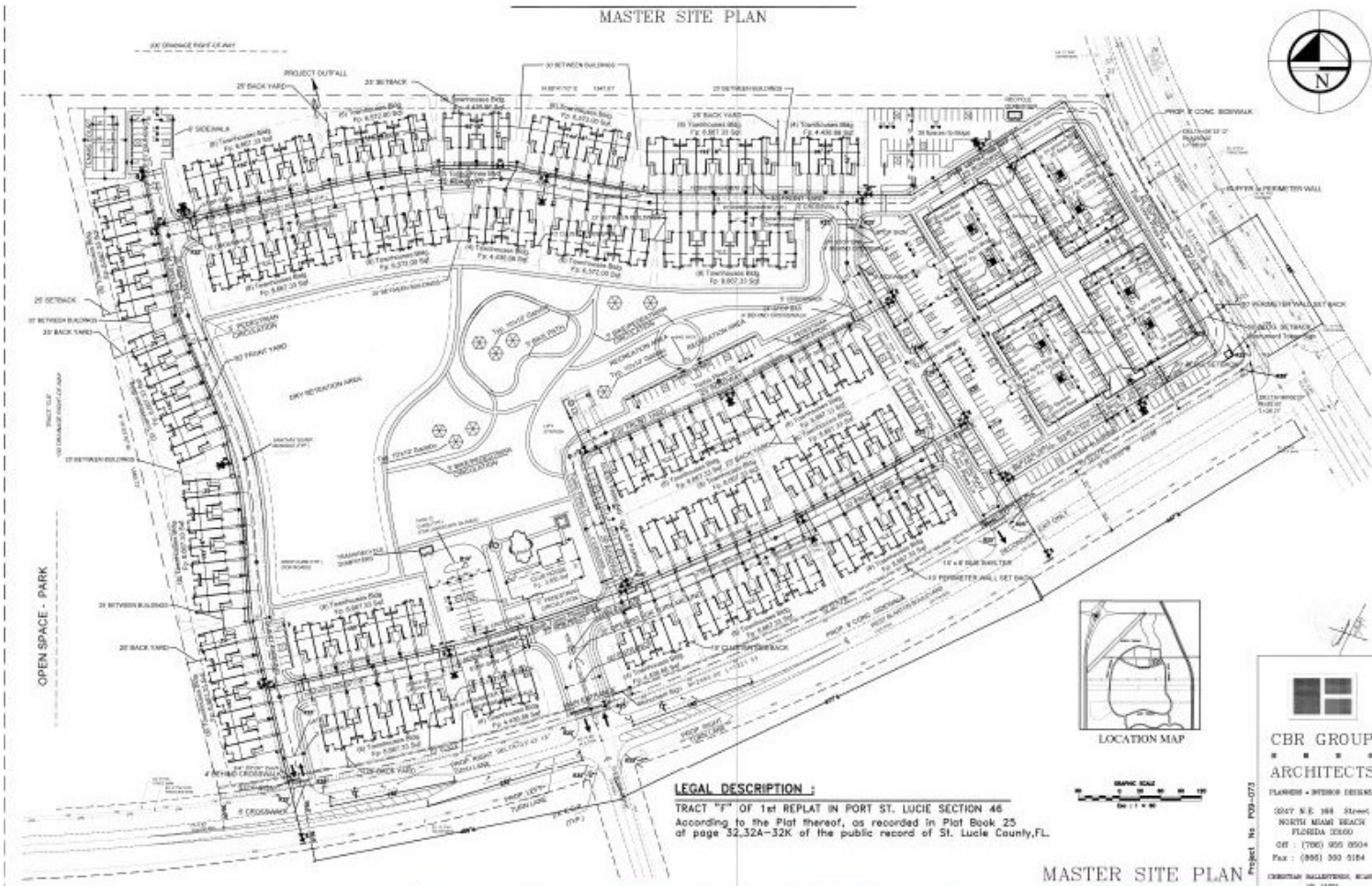
2006 Approved PUD P05-063 Torino Pines PUD - This zoning application was approved by City Council on September 11, 2006 for 316 multifamily units: 172 townhouse units and 144 apartment units with a density of 10.9 dwelling units per acre.

2009 Approved Site Plan P09-073 Torino Pines Site Plan – This site plan application was approved by City Council on October 26, 2009 for 316 multifamily units: 172 townhouse units and 144 apartment units with a density of 10.97 dwelling units per acre. The apartments are 4 stories and 49.5 feet in height to top of roof. This site plan was granted an extension to 2014. The site plan expired and is no longer valid.

BACKGROUND

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Previously Approved Site Plan

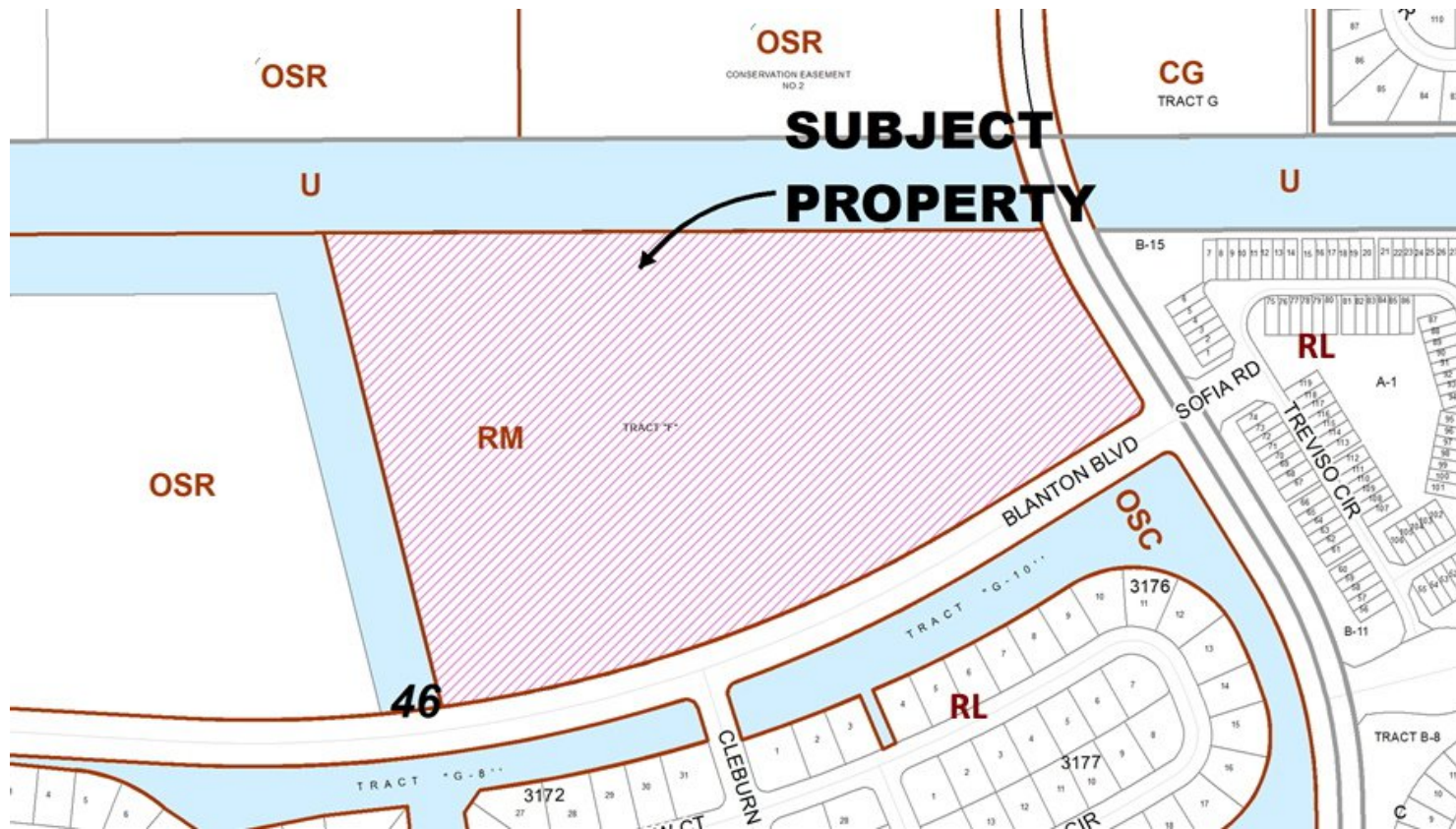
P09-073
 Oct, 26, 2009
 Expired in 2014

316 multifamily units:
 172 townhouse units
 and 144 apartment units

2009 APPROVED SITE PLAN

CityofPSL.com

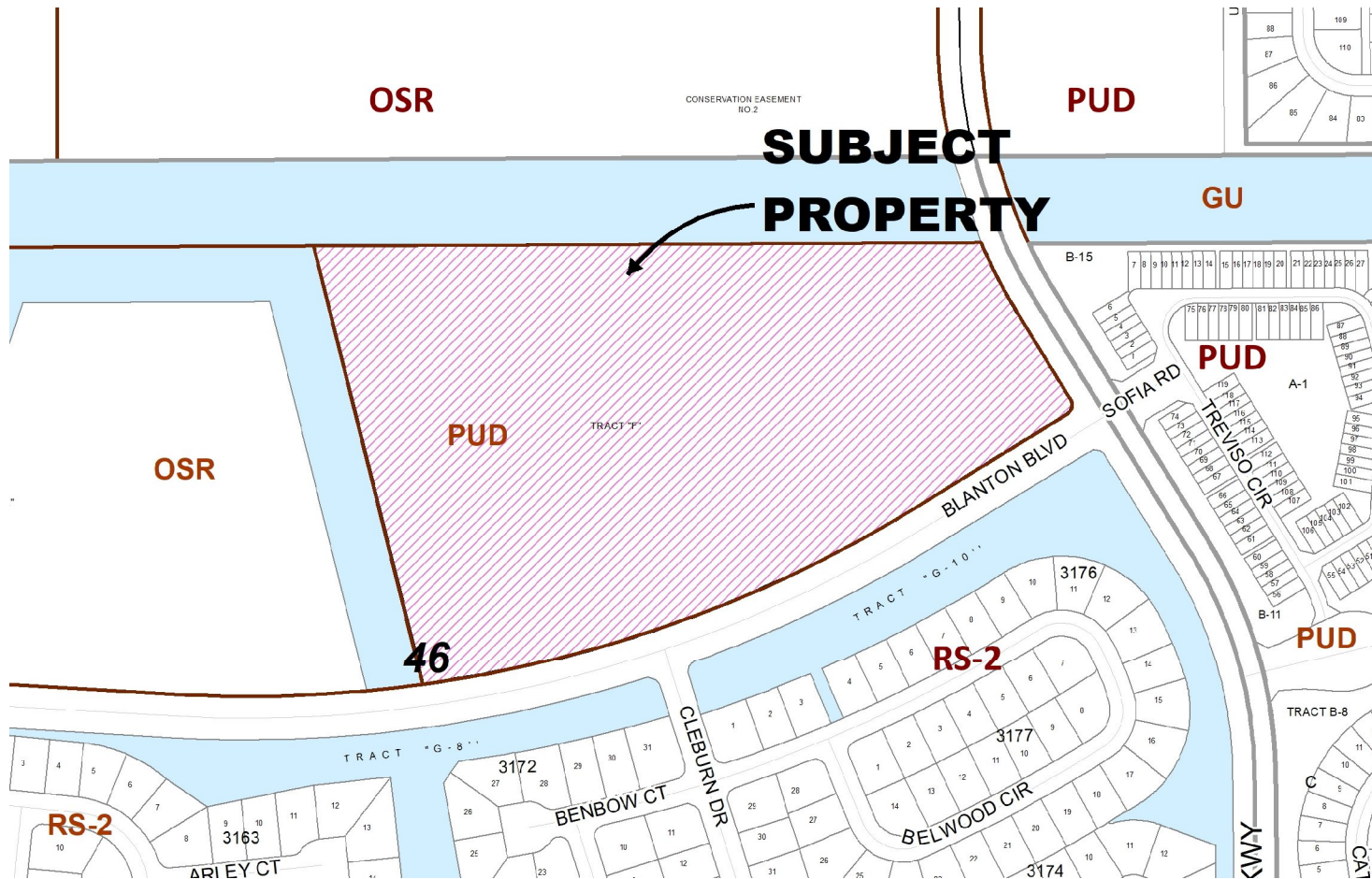




FUTURE LAND USE

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ZONING

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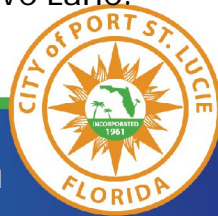


TRAFFIC IMPACT ANALYSIS

- Received latest Traffic Analysis Report dated June 20, 2022 completed by Susan O'Rourke Engineering & Planning, Inc.
- Reviewed by City staff
- The proposed 263 Townhome dwelling units would result in 134 PM Peak hour trips.
- With the addition of projected project trips added, the intersections of both North Torino Parkway and Blanton Blvd. with East Torino Parkway still only operate at a Level of Service D. The Level of Service requirement for improvement within the city is a Level of Service E so this project is not triggering improvements.

TRAFFIC IMPACT MITIGATION

- Developer Proposed:
 - Left Turn lane into the site at entrance along Blanton Blvd.
 - Right Turn lane into the site at entrance along Blanton Blvd.
 - Right Turn lane along Torino Parkway at the intersection with Blanton Blvd.
- Future City Improvements:
 - Single-lane Roundabout to be constructed in 2023 at the intersection of Torino Parkway and Turtle Dove Lane.





TRAFFIC ANALYSIS

CityofPSL.com



This PUD amendment is consistent with the direction and policies of the Comprehensive Plan.

- As per Comprehensive Plan Policy 1.1.4.10 RM (Medium Density Residential), a maximum density of 11 dwelling units per acre is allowed. The maximum density proposed for Torino Parc is 9.13 dwelling units per acre with or 263 dwelling units.



The Site Plan Review Committee **recommended approval** of the PUD on October 14, 2020.

RECOMMENDATION

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Agenda Summary
2022-552

Agenda Date: 7/5/2022

Agenda Item No.: 8.b

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P22-182 St. Lucie County School at Verano - Rezoning

Location: The property is located west of the NS A road right-of-way and north of the Crosstown Parkway right-of-way.

Legal description: A parcel of land lying in a portion of Section 6, Township 37 South, Range 39 East, St. Lucie County, Florida.

This is a request to rezone 49.11 acres of property from St Lucie County Agricultural 1 unit per 5 acres (SLC AG-5) to Institutional (I) for the purposes of building a school.

Submitted By: Stephen Mayer, Planner III

Executive Summary: The Applicant is requesting approval of the rezoning of an approximate 49.11-acre parcel within Section 6, from St Lucie County Agricultural 1 unit per 5 acres (SLC AG-5) to Institutional (I).

Presentation Information: Staff will make a brief presentation

Staff Recommendation: To be provided.

Alternate Recommendation:

1. Move that the Board recommend denial of the rezoning.

Background: The property does not have an address but will be located at the northwest corner of the extension of Crosstown and the future public right-of-way for North-South "A". The applicant is requesting this change to allow for a school site on this property. This is a requirement of the Verano DRI.

Issues/Analysis: The property has a future land use classification of Residential Golf Course (RGC), which is compatible with the Institutional (I) zoning district.

Special Consideration: N/A

Location of Project: The property is located east of Range Line Road, south of Glades Cut Off Road, and adjacent to Verano South.

Attachments: 1. Staff Memo



MEMORANDUM

TO: Planning and Zoning Board

FROM: Stephen Mayer, Planner III

DATE: June 29, 2022

RE: Verano School - Rezoning (P22-182)

- Planning and Zoning Department recommends tabling the item until August 2, 2022.



Agenda Summary

2022-468

Agenda Date: 7/5/2022

Agenda Item No.: 8.c

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P22-001 Riverland/Kennedy DRI Riverland Center MPUD Rezoning

Location: Located on the northwest corner of Community Boulevard and E/W #3 right-of-way (Marshal Parkway)

Legal Description: Portions of Sections 21 and 22, Township 37 South, Range 39 East, St. Lucie County, Florida
This is a request to rezone 35.7 acres from the St. Lucie County AG-5 zoning designation to a Master Planned Unit Development (MPUD).

Submitted By: Daniel Robinson, Planner II

Executive Summary: The proposed MPUD will allow for a maximum density of 261 dwellings units and 130,000 square feet of non-residential uses. The MPUD proposes to exclude and/or exempt any buffering requirements between this MPUD and the neighboring Parcel B MPUD. The MPUD further stated that there shall be no perimeter buffer requirement between the Village Commercial area and the Mixed-Use area.

Presentation Information: Staff will provide a presentation.

Staff Recommendation: Move that the Board recommend approval.

Alternate Recommendations:

1. Move that the Board amend the recommendation and recommend approval.
2. Move that the Board not recommend approval.

Background: The Site Plan Review Committee recommended approval of the rezoning application on February 23, 2022. The item was tabled at the June 7, 2022 Planning and Zoning Board meeting.

Issues/Analysis: See staff report

Special Consideration: N/A

Location of Project: Northwest corner of Community Boulevard and E/W #3 right-of-way (Marshal Parkway).

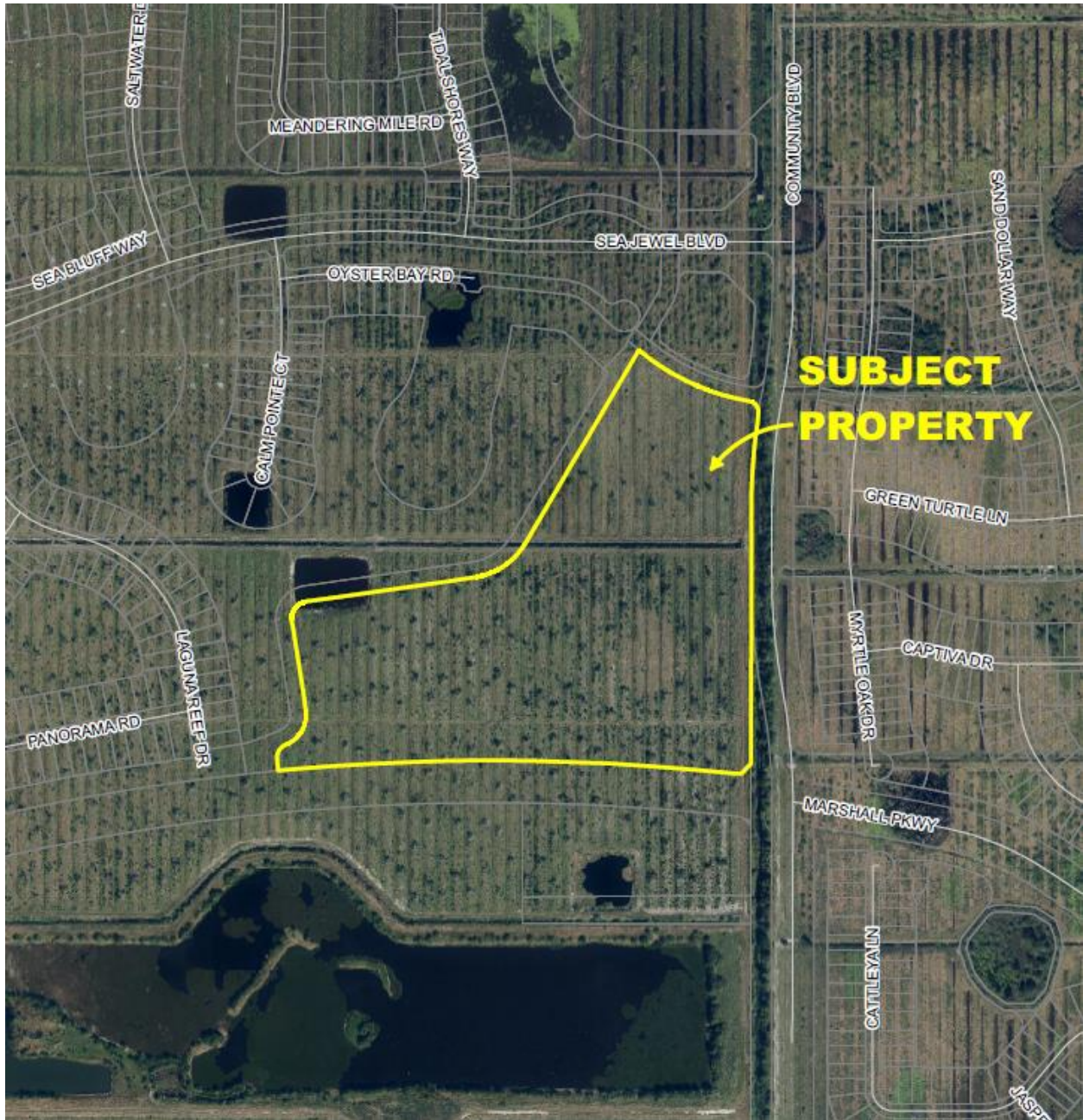
Attachments:

- Staff report
- Riverland Center MPUD
- Application

- Public Comment
- Public Comment
- Staff Presentation
- Applicant Presentation



**Riverland/Kennedy DRI Riverland Center
MPUD Rezoning
P22-001**



Project Location Map

SUMMARY

Applicant's Request:	Rezone 35.7 acres from St. Lucie County AG-5 zoning to a Master Planned Unit Development.
Applicant:	Azlina Goldstein, GL Homes
Property Owner:	Riverland/Kennedy II, LLC
Location:	The property is located northwest corner of Community Boulevard and E/W #3 right-of-way (Marshal Parkway).
Address:	N/A
Project Planner:	Daniel Robinson, Planner II

Project Description

The proposed MPUD will allow for a maximum density of 261 dwellings units and 130,000 square feet of non-residential uses.

The MPUD proposes to exclude and/or exempt any buffering requirements between this MPUD and the neighboring residential Parcel B MPUD. The MPUD further stated that there shall be no perimeter buffer requirement between the Village Commercial area and the Mixed-Use area.

Previous Actions and Prior Reviews

The Site Plan Review Committee recommended approval at their regular meeting of February 23, 2022.

Public Notice Requirements

Notification has been sent to all property owners within 750 feet from the subject property.

Location and Site Information

Parcel Number:	432141100010007
Property Size:	Parcel Size is 35.7 of which 35.7 acres is the subject of this rezoning application.
Legal Description:	The property is legally described as a Portion of Sections 21 and 22, Township 37 South, Range 39 East, St. Lucie County, Florida
Future Land Use:	NCD (New Community Development District)
Existing Zoning:	SLC AG-5 (St. Lucie County Agriculture 5- one dwelling unit per five acres)
Existing Use:	Vacant
Proposed Use:	Residential Community

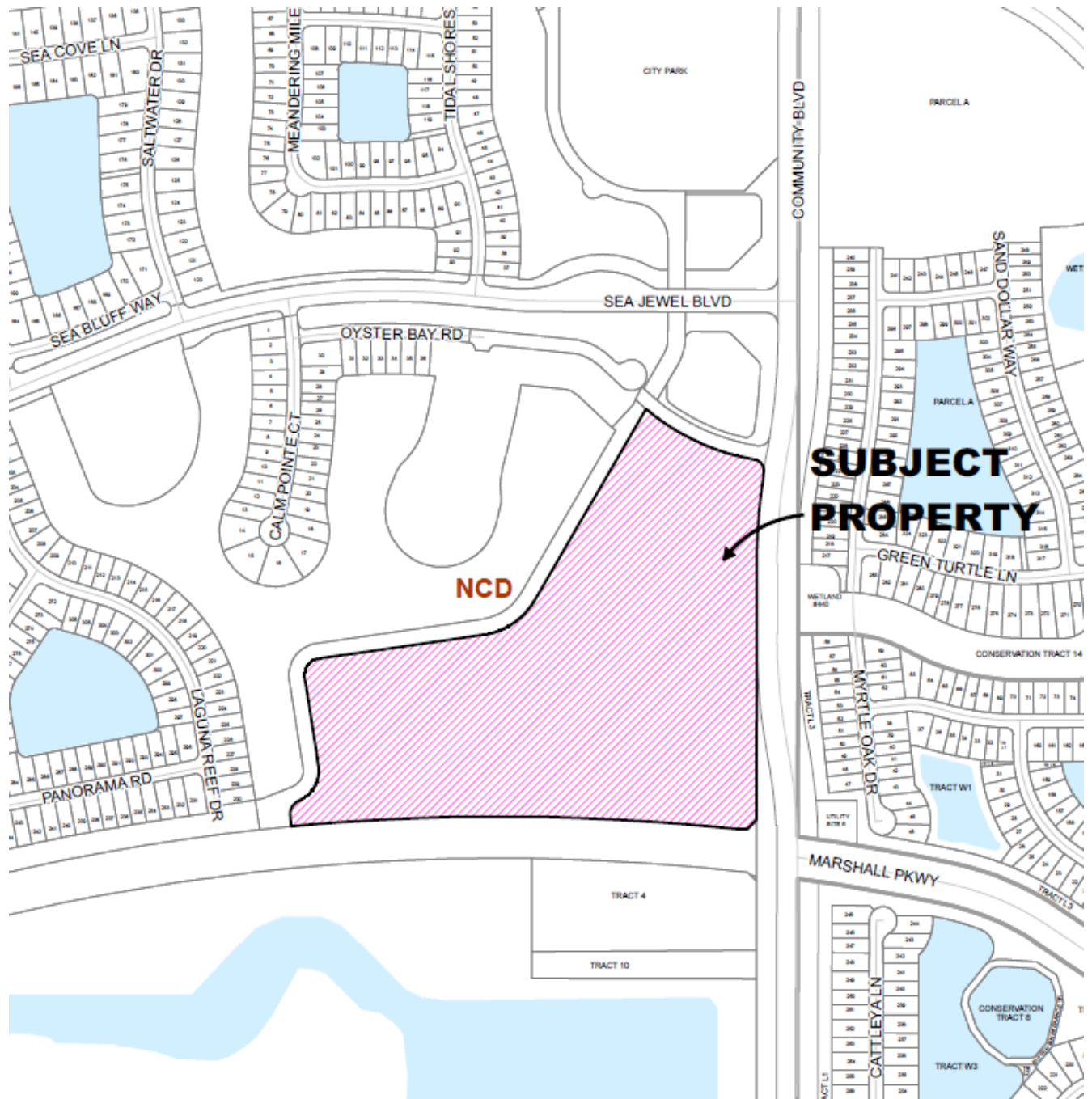
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	NCD	MPUD	Riverland Community
South	NCD	SLC AG-5	Vacant
East	NCD	MPUD	Pulte Development
West	NCD	MPUD	Vacant

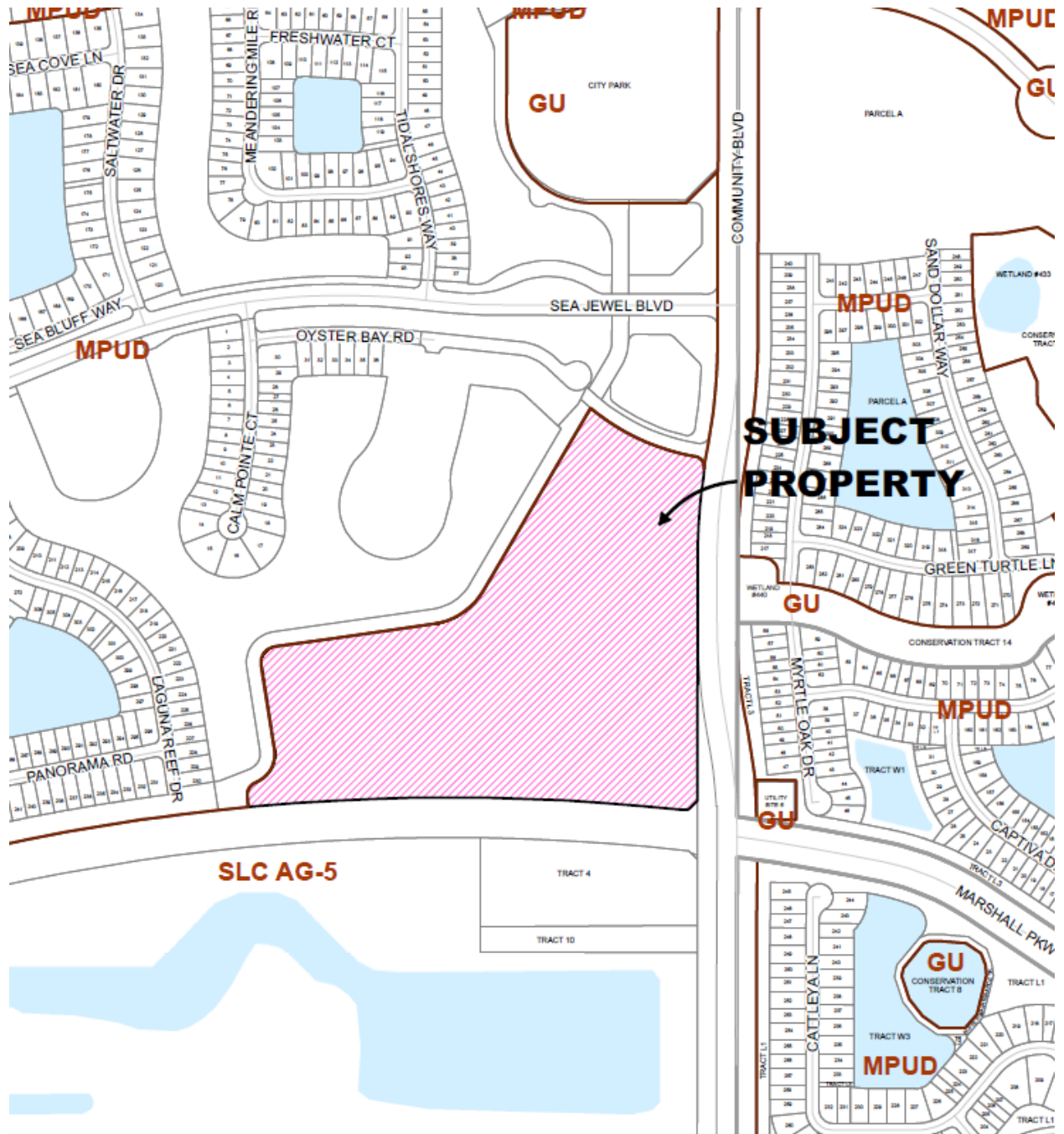
NCD – New Community Development District

MPUD – Master Planned Unit Development

SLC AG-5 - St. Lucie County AG-5 (1 dwelling unit per 5 acres)



Future Land Use



Existing Zoning

IMPACTS AND FINDINGS

COMPREHENSIVE PLAN REVIEW

Land Use Consistency (Policy 1.2.1.3): The proposed MPUD is consistent with Policies 1.2.2.4 and 1.2.2.7 of the Future Land Use Element regarding the development of Neighborhood/Village Commercial areas and Mixed-Use Areas within an NCD District and Policy 1.2.3.4 regarding the provision of pedestrian/bicycle paths to interconnect residential and non-residential areas.

MPUD REZONING REQUIREMENTS

Project Description: The proposed MPUD will allow for a maximum density of 261 dwellings units and 130,000 square feet of non-residential uses.

Standards for District Establishment

Area Requirement for an MPUD with New Community Development (NCD) Future Land Use designation.	Policy 1.2.2.4 establishes a minimum size of 3 acres for a Neighborhood/Village subdistrict. The proposed Neighborhood/Village area is 4.155 acres. Policy 1.2.2.7 establishes a minimum size of 30 acres for a Mixed-Use subdistrict. The proposed Mixed-Use area is 31.542 acres.
Relation to Major Transportation Facilities	The Riverland Center MPUD property is located at the northwest corner of Community Boulevard and Marshal parkway. Main access to the property will be along both Community Boulevard and Marshal Parkway.
Development of Regional Impact	The subject property is located within the Riverland/Kennedy DRI.
Relation to Utilities, Public Facilities, and Services	The subject property is served by Port St. Lucie Utility Systems Department, FPL, Home Town Communications, and the Tradition Irrigation Company for irrigation water.
Evidence of Unified Control of Area	Evidence of unified control has been provided.

MPUD Conceptual Master Plan and Regulation Book Requirements

MPUD Concept Plan and Regulation Book	Provided
Land Uses	The Riverland Center MPUD property is within a designated Mixed-Use and Neighborhood/Village Commercial sub areas as shown on Figure 1-5 of the Comprehensive Plan. Figure 1-5 is the conceptual plan for the Riverland/Kennedy NCD District.
Zoning Regulations for each land use	Provided in the MPUD document
Provision for Pedestrian Circulation	The MPUD provides for sidewalks adjacent to streets with connections to the adjacent neighborhoods.
Transit Oriented Design Features	A sidewalk system will be provided with connections to multi-modal paths and neighboring sites within the MPUD.

Off Street Parking and Loading Requirements	Section 7 of the MPUD provides parking and pedestrian requirements.
Underground Utilities	All utilities will be underground.
Open Space	Section 5 of the MPUD provides requirements for usable open space. Within open space areas, a minimum of five percent (5%) useable open space shall be included.
Wetlands and Uplands	There are existing wetlands on site that have been mitigated off site per the Army Corp of Engineers (ACOE) permit for the Southern Grove DRI.
Stormwater	The project provides for onsite stormwater retention as depicted on the conceptual master plan.
Landscaping and Buffering Requirements	Section 8 of the MPUD provides landscape requirements. The MPUD proposes to exclude and/or exempt any buffering requirements between this MPUD and the neighboring residential Parcel B MPUD. The MPUD further stated that there shall be no perimeter buffer requirement between the Village Commercial area and the Mixed-Use area.

RELATED PROJECTS

P20-162 Riverland/Kennedy DRI Amendment

STAFF RECOMMENDATION

The Planning and Zoning Department staff finds the request to be consistent with the direction and intent of the future land use map and policies of the City's Comprehensive Plan and recommends approval.

Planning and Zoning Board Action Options:

- Motion to recommend approval to the City Council
- Motion to recommend approval with conditions to the City Council
- Motion to recommend denial to the City Council

Please note: Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to *table* or *continue* the hearing or review to a future meeting.

MPUD APPLICATION
RIVERLAND/KENNEDY DRI
RIVERLAND CENTER

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LIST OF EXHIBITS

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Exhibit 2	Page 6	Agent Authorization Letter, Riverland/Kennedy II, LLC
Exhibit 3	Page 7	MPUD Application Checklist
Exhibit 4	Page 8	Letter of Unified Control, Riverland/Kennedy II, LLC
Exhibit 5	Page 9	General Standards for District Establishment
Exhibit 6	Page 10	Site Information
Exhibit 7	Page 11	Development Uses & Standards
Exhibit 8	Page 24	Legal Description
Exhibit 9	Page 26	Development Program
Exhibit 10	Page 27	Binding MPUD Agreement
Exhibit 11	Page 28	Site Location Map
Exhibit 12	Page 29	Vicinity Map
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Exhibit 14	Page 31	Future Land Use Map
Exhibit 15	Page 32	Existing Zoning Map
Exhibit 16	Page 33	Conceptual Plan
Exhibit 17	Page 34	Water/Sewer Service Plan
Exhibit 18a	Page 35	Residential Typical – Villa – Front Loaded Lot – 50’ Local Street
Exhibit 18b	Page 36	Residential Typical – Townhome Lot – 50’ Local Street
Exhibit 19a	Page 37	Road Cross Section – Fifty Foot (50’) ROW Local Street
Exhibit 19b	Page 38	Road Cross Section – Eighty Foot (80’) ROW Local Street

RIVERLAND/KENNEDY – MPUD – Riverland Center

LIST OF PROJECT PROFESSIONALS

LANDOWNER: Riverland/Kennedy II, LLC
Alan J. Fant, Vice President
1600 Sawgrass Corporate Parkway, Suite 150
Sunrise, FL 33323
T: (954) 753-1730, ext. 2208
F: (954) 575-5208
alan.fant@glhomes.com

DEVELOPER: Riverland/Kennedy II, LLC
Alan J. Fant, Vice President
1600 Sawgrass Corporate Parkway, Suite 150
Sunrise, FL 33323
T: (954) 753-1730, ext. 2208
F: (954) 575-5208
alan.fant@glhomes.com

ENGINEER: GLH Engineering, Inc.
Rick Elsner, P.E.
1600 Sawgrass Corporate Parkway, Suite 150
Sunrise, FL 33323
T: (954) 753-1730, ext. 2242
F: (954) 575-5242
rick.elsner@glhomes.com

CONSULTANT: Riverland/Kennedy II, LLC
Kevin Ratterree & Azlina Goldstein, Authorized Signatories
1600 Sawgrass Corporate Parkway, Suite 150
Sunrise, FL 33323
T: (954) 559-0465
F: (954) 575-5240
azlina.goldstein@glhomes.com

EXHIBIT 1

MPUD REZONING APPLICATION

CITY OF PORT ST. LUCIE

FOR OFFICE USE ONLY

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

Planning Dept.: P22-001
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: azlina.goldstein@glhomes.com

PROPERTY OWNER

Name: Riverland/Kennedy II, LLC
Attn: Azlina Goldstein (azlina.goldstein@glhomes.com)
Address: 1600 Sawgrass Corporate Parkway, Suite 150
Sunrise, FL 33323
PH (954) 559-0465
FX (954) 575-5240

AGENT OF OWNER (if any)

Name: Riverland/Kennedy II, LLC
Attn: Azlina Goldstein (azlina.goldstein@glhomes.com)
Address: 1600 Sawgrass Corporate Parkway, Suite 150
Sunrise, FL 33323
PH (954) 559-0465
FX (954) 575-5240

PROPERTY INFORMATION

Legal Description: See attached Exhibit 8

Parcel I.D. Number: 4321-411-0001-000-7

Current Zoning: AG-5 (St. Lucie County)

Proposed Zoning: MPUD (Port. St. Lucie)

Future Land Use Designation: NCD (Port St. Lucie) Acreage of Property: 35.697 acres

Reason for rezoning request: Rezone property within the Riverland/Kennedy DRI to MPUD consistent with DRI Development Order and NCD Future Land Use to permit development of a Mixed Use (120,000 SF of non-residential development and 261 villa, townhome or multi-family dwellings) and Neighborhood/Village Commercial (20,000 SF of non-residential development) center.

[Handwritten signature of Azlina Goldstein]

Signature of Owner

Azlina Goldstein

Hand Print Name

3/30/22

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.

EXHIBIT 2

January 3, 2022

City of Port St. Lucie
Attn: Teresa Lamar-Sarno, AICP, Deputy City Manager
Planning and Zoning Department
121 SW Port St. Lucie Blvd.
Port St. Lucie, FL 34984-5099

RE: Riverland/Kennedy DRI: MPUD – Riverland Center
St. Lucie County, Port St. Lucie, Florida

Dear Ms. Lamar-Sarno:

Please allow this letter to serve as authorization for Azlina Goldstein and Kevin Ratterree to act as agents for Riverland/Kennedy II, LLC, for the purposes of applying, processing and representation of the MPUD application for Riverland/Kennedy MPUD – Riverland Center in the Riverland/Kennedy DRI in Port St. Lucie, Florida.

Please feel free to contact me with any questions.

Sincerely,

By: Riverland/Kennedy II, LLC
A Florida Limited Liability Corporation

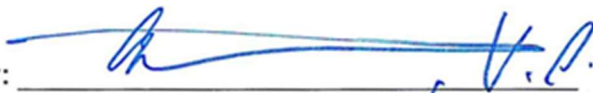
By: 
Alan J. Fant, Vice President

EXHIBIT 3

MPUD APPLICATION CHECKLIST

1. Statement of Unified Control of the entire area within the PUD is enclosed as Exhibit 4.
2. Riverland/Kennedy – Riverland Center is a proposed combination of mixed use and neighborhood/village sub districts designed to function as a community development totaling 35.697 acres of compatible residential and non-residential uses. Such uses will allow for neighborhood retail, commercial, office, institutional, recreational, residential and other similar opportunities to meet the needs of the adjoining and/or connected neighborhoods within the Riverland/Kennedy DRI and larger area.
3. The Conceptual Plan for Riverland/Kennedy –Riverland Center is attached as Exhibit 16 of this submittal package.
4. Please see Exhibit 5 for the General Standards established for this Master Planned Unit Development. Development uses and standards are shown in Exhibit 7.

EXHIBIT 4

January 3, 2022

City of Port St. Lucie
Planning and Zoning Department
Attn: Teresa Lamar-Sarno, AICP, Deputy City Manager
121 SW Port St. Lucie Blvd.
Port St. Lucie, FL 34984-5099

RE: Riverland/Kennedy DRI: MPUD – Riverland Center
St. Lucie County, Port St. Lucie, Florida

Dear Ms. Lamar-Sarno:

This letter is submitted as our Letter of Unified Control in compliance with the City of Port St. Lucie Zoning requirements. Riverland/Kennedy II, LLC, is the owner of record of the subject property.

Please feel free to contact this office if you have any questions.

Sincerely

By: Riverland/Kennedy II, LLC
A Florida Limited Liability Corporation

By: 

Azlina Goldstein, Authorized Signatory

EXHIBIT 5

GENERAL STANDARDS FOR DISTRICT ESTABLISHMENT

Pursuant to Section 158.172:

Area Requirements: Riverland Center is 35.687 acres consisting of a Neighborhood/Village sub-district containing 4.155 acres (which exceeds the three acre (3) acre minimum requirement for the establishment of a MPUD required by Policy 1.2.2.4), and a Mixed Use sub-district containing 31.542 acres (which exceeds the thirty acre (30) minimum requirement for the establishment of a MPUD required by Policy 1.2.2.7) within the City's Comprehensive Plan and the two (2) acre minimum required by Section 158.187 in the NCD land use, Ordinance 12-13.

Relation to Major Transportation Facilities: Riverland/Kennedy Riverland Center is located on the west side of SW Community Blvd., southeast of Parcel B of Riverland/Kennedy DRI, and north of SW Marshall Parkway (aka E/W #3). Main access to the property will be as follows: (i) along the future extension of SW Community Boulevard from its present terminus at the Riverland Parcel B Community Boulevard project entry south to the future intersection of Community Boulevard and SW Marshall Parkway (aka E/W #3); and (ii) along SW Marshall Parkway. The property entrances shall be located so as to provide access without creating or generating significant traffic impacts to the streets within and/or outside the boundaries of the MPUD. The traffic impacts are being addressed through conditions of the Riverland/Kennedy DRI Development Order (Resolution 21-R07, as may be amended).

Consistency with the City's Comprehensive Plan: The Riverland/Kennedy Riverland Center MPUD is consistent with the City's Comprehensive Plan (subject to the adoption of the large-scale text amendment being processed under P-21-200). The Mixed-Use sub district is 31.542 acres, which falls between the 30-acre minimum and the 500-acre maximum acreage and will contain a minimum of three (3) uses, one of which will be residential, as required under Policy 1.2.2.7. The Neighborhood/Village Commercial sub district is 4.155 acres, which falls between the 3-acre minimum and the 35-acre maximum acreage and will contain a minimum of two (2) uses as required under Policy 1.2.2.4.

Relation to Utilities, Public Facilities and Services: Riverland Center will be served by Port St. Lucie Utilities for water and wastewater, a public service provider acceptable to the City for phone, gas and cable service, and Florida Power & Light with electricity. All utilities will be underground.

Physical Character of the Site: Riverland Center is located within the Riverland/Kennedy Development of Regional Impact (DRI). The site is generally former citrus groves and pastureland.

EXHIBIT 6

SITE INFORMATION

(A) TOTAL ACREAGE:

Development areas included with this MPUD:

- Mixed Use 31.542 acres
- Neighborhood/Village Commercial 4.155 acres
- Total 35.697 acres

See graphic Exhibit 16 MPUD Conceptual Plan. Individual detail plans will be provided for each sub-element as it is finalized.

(B) PEDESTRIAN WAYS:

The system of pedestrian movement will consist of sidewalks and/or multi-modal paths within the site. The Neighborhood/Village Commercial and Mixed-Use Areas will be connected by a pedestrian sidewalk system to the multi-modal pathway that is located adjacent to the Project Site.

(C) DENSITY/INTENSITY:

The density and intensity within the Riverland Center MPUD shall be consistent with the existing Riverland/Kennedy DRI Development Order and shall meet the standards set forth the City's current Comprehensive Plan concerning the design of Neighborhood/Village Commercial and Mixed-Use Areas.

Residential Density 261 dwelling units (max)

Non-Residential Intensity 130,000 sf (max)

EXHIBIT 7

DEVELOPMENT USES & STANDARDS

SECTION 1 – MIXED-USE AREA

(A) Purpose: The purpose of the Mixed-Use Area shall be to locate and establish a mixture of uses where a mixed pattern of housing, retail and restaurants, and commercial and office uses that are deemed appropriate and proper for location and development standards are to be substantially established.

The following standards shall be met in designing the Mixed-Use Area:

(B) Permitted Principal Uses and Structures: A minimum of three (3) of the following principal uses and structures shall be contained within the Mixed-Use Area, provided a minimum of thirty percent (30%) and a maximum of seventy percent (70%) of the net acreage within the Mixed-Use Area shall be residential:

1. Any retail, business, or personal service use conducted wholly within an enclosed building or space, where repair, processing or fabrication of products is clearly incidental to and restricted to on-premises sales;
2. Office for administrative, business, or professional uses;
3. Banking institutions, credit union, trust or savings and loan association, with or without drive thru service;
4. Restaurant, with or without drive-thru service, with or without an alcoholic beverage license for on-premises consumption of alcoholic beverages, and which may provide outdoor seating;
5. Liquor store, bar or lounge that conducts the retail sales of alcoholic beverages for on and off premises consumption;
6. Hotel, motel, inn or bed and breakfast;
7. Gas service facility with or without a convenience store;
8. Electrical vehicle charging station(s) and/or charging facility;
9. Golf cart sales and/or service facility;
10. Carwash, full service or self-service (including boat and/or recreational vehicle wash/detailing uses);
11. Public facility or use;
12. Civic or institutional facility, including but not limited to churches or other places of worship, day care centers, schools (public or private), kindergarten through 12th grade, and assisted and congregate living facilities;
13. Cultural or performing arts facility, including but not limited to art, dance and music studios, schools and halls, photography studio;

14. Health services, hospital, urgent care, medical offices and/or clinics, including but not limited to drug stores and/or compounding pharmacy, with or without drive-thru service;
15. Personal wellness facilities. A personal wellness facility is defined as a health club, fitness, gymnasium, exercise, or recreational facility focused on physical and/or mental well-being that may also provide retail sales and eating activities, including but not limited to the consumption of food on and off the premises which may or may not provide seating;
16. Villa dwelling. A villa dwelling is defined as two single family residential dwelling units sharing a common wall along a common property line;
17. Townhouse dwelling. A townhouse dwelling is defined as a narrow, single-family dwelling unit which normally occupies the entire width of its lot, having its open yard space to the front and rear, and which is attached on one or both sides to a similar unit or units, all of which are located on individually platted lots as part of a subdivided group development;
18. Multiple-family dwellings. A multiple-family dwelling is defined as a building containing two or more dwelling units;
19. Recreational facilities, including but not limited to billiard hall, bowling alley, skating rink, shooting gallery, virtual reality and/or gaming arcade, coding, escape room, and indoor golfing;
20. Park or playground, or other public recreation or cultural facility (including but not limited to open space devoted to the conservation and maintenance of natural waterways, vegetation, and wildlife; hiking and/or bicycle trails; nature study areas and boardwalks; picnic areas);
21. Temporary construction trailers and homes for use as construction offices with or without paved parking lots;
22. Temporary and permanent mail kiosk/cluster mailbox area for mail delivery with paved parking lots;
23. Temporary sales trailers, sales center and model homes located upon the parcel for which sales and sales-related activities are to be conducted;
24. Research and development uses, included but not limited to experimental and testing laboratories, production and/or manufacturing of biological, biomedical and pharmacy;
25. Self-service storage facility inclusive of outdoor, indoor or covered storage for boats, recreation vehicles and similar motorized vehicles;
26. Kennel and/or animal care, boarding or grooming facility, with or without outdoor play space;
27. Open air amphitheater that may be used to service the communities within the Riverland/Kennedy DRI;
28. Drive-thru service in conjunction with any permitted use or structure;

29. Other principal and special exception uses and structures permitted under the General Commercial Zoning District of the City Code, if not otherwise specified as a permitted principal uses or special exception use under this Section 1- Mixed-Uses Areas.

(C) Special Exception Uses: The following uses may be permitted only following the review and specific approval thereof by the City Council:

1. Wireless communication antennas and towers with a maximum height of three hundred (300) feet, provided all other criteria are met as set forth in Section 158.213, City of Port St. Lucie Zoning Ordinances.

(D) Accessory Uses: As set forth in Section 3 hereof.

(E) Lot and Outparcel Requirements and Residential Density: As set forth in Section 5 hereof.

(F) Maximum Building Coverage: As set forth in Section 5 hereof.

(G) Minimum Open Space: As set forth in Section 5 hereof.

(H) Maximum Building Height: As set forth in Section 5 hereof.

(I) Minimum Living Area for Residential Dwellings: As set forth in Section 5 hereof.

(J) Minimum Building Size: As set forth in Section 5 hereof.

(K) Off-Street Parking and Service Requirements. As set forth in Section 5 herein.

SECTION 2 – NEIGHBORHOOD/VILLAGE COMMERCIAL AREAS

(A) Purpose: The purpose of the Neighborhood/Village Commercial Area shall be to locate and establish a mixture of uses, which may include residential and non-residential land uses that function as a community of compatible uses in a compact setting serving adjoining neighborhoods.

The following standards shall be met in designing the Neighborhood/Village Commercial Areas:

(B) Permitted Principal Uses and Structures: A minimum of two (2) of the following principal uses and structures shall be contained within the Neighborhood/Village Commercial Area, with one (1) use being commercial or retail:

1. Any and all uses and structures permitted under Section 1 – Mixed Use Areas; and
2. Enclosed assembly area, subject to meeting parking requirements established under City Code, unless otherwise provided for herein, with or without an alcoholic beverage license for sales and/or consumption of alcoholic beverages. An enclosed assembly area is defined as a building or structure where people assemble for a common purpose, such as social, civic, cultural, recreational and/or religious purposes, whether owned and/or maintained by a for-profit or not-for-profit entity, and includes, but is not limited to, public assembly buildings such as auditoriums, theaters, halls, private clubs and fraternal lodges, assembly halls, exhibition halls, convention centers, and places of worship, or other areas, buildings or structures that are used for religious purposes or assembly by persons.

- (C) Special Exception Uses: As set forth under Section 1 hereof.
- (D) Accessory Uses: As set forth in Section 3 hereof.
- (E) Minimum Lot Requirements: As set forth in Section 5 hereof.
- (F) Maximum Building Coverage: As set forth in Section 5 hereof.
- (G) Minimum Open Space: As set forth in Section 5 hereof.
- (H) Maximum Building Height: As set forth in Section 5 hereof.
- (I) Minimum Building Size: As set forth in Section 5 hereof.
- (J) Setback Requirements and Buffering: As set forth in Section 4 herein.
- (K) Off-Street Parking and Service Requirements: As set forth in Section 6 herein.

SECTION 3 – ACCESSORY USES AND STRUCTURES

(A) General Provisions: Accessory structures and uses are permitted in connection with any principal lawfully existing permitted use, provided that all accessory structures or uses are in full compliance with all setbacks, height, building coverage and other requirements set forth in the City Code, unless otherwise specifically provided for herein.

(B) Accessory Uses in Residential Areas:

1. Accessory structures and uses shall not be located in that area extending from the front building line to the front property line unless otherwise specifically provided.
2. The following accessory uses are allowed in the residential areas:
 - a. Customary yard structures such as communication antennas (excluding commercial transmission towers), children’s playground equipment, and other similar equipment.
 - b. Driveways serving the residential units. The separation from edge of driveways to the sanitary sewer/water services shall be in conformance with Utility Department standards. The permitted driveway widths for each unit type are outlined Exhibit 18.
 - c. Swimming pools and related decks, patios and screen enclosures. Maximum size is based on allowable setbacks.
 - d. A basketball backboard and goal may be located in that area extending from the front building line and on driveways, provided either fixed or portable and a minimum of two (2) feet off the edge of pavement and not on a collector or arterial road.
 - e. Garden structures, including gazebos, pergolas, separate roofed patios, and well houses.

- f. Hot tubs, saunas, free standing cabanas and bath houses, and other similar recreational structures.
- g. Fences or screen or privacy walls. Fences or screen or privacy walls required to meet the requirements of Sections 158.216(A)(5), (B) (F) and (G) of the City's Zoning Code. Sections 158.216(A)(1) through and including (A)(4), (C), (D), (E), (H), (I) and (J) are not required to be met and do not apply. Fences or screening walls may consist of the following materials: Chain link, wood, masonry, or stone, aluminum, vinyl coated steel or polyester powder steel, ornamental and imitation wood fences. Chicken wire or barbed wire fences in residential areas are not permitted. Vinyl coated welded wire may be used as an interface to a wooden fence. Interface is defined as a material placed upon an existing fence, inside its common boundaries for the purpose of providing additional security. Fences and walls may be located in that area extending from the front building line to front property line. Unless otherwise specifically provided for within the MPUD, the above-referenced sections of the City Code regulating fences and/or screening walls which are in effect at the time of MPUD approval shall apply to these regulations pertaining to fences or screening.
- h. Garages. Maximum size shall be nine hundred (900) square feet for detached or attached garages and limited in height so that it is not higher than the principal building's roof line. Garages shall conform in appearance and design to the principal's structure (house). Only one detached garage per lot is permitted.
- i. Solar collection systems, windmills, and other energy devices based on renewable resources.
- j. Outdoor fireplaces, barbeque pits and so-called summer kitchens.
- k. Doghouse with a size not to exceed four (4) feet in height and four (4) feet in depth by six (6) feet wide.
- l. Noncommercial greenhouses.
- m. Any other accessory use not listed herein under Section 3(B).2. of the MPUD that are permitted by Section 158.217 of the City of Port St. Lucie Zoning Code are allowed in the residential areas.

(C) Storage of Commercial Vehicle or Equipment in a Residential District: Storage of a commercial vehicle or equipment in a residential area is prohibited; unless any vehicle or equipment is placed within a fully enclosed building or structure (garage).

(D) Major Recreational Equipment: Major recreational equipment is hereby defined as including boats and boat trailers, recreational vehicles, motorized dwelling, houseboats and the like. Storage of major recreational equipment in a residential area is prohibited; unless any vehicle or equipment is placed within a fully enclosed building or structure (garage).

(E) Home Occupation: A home occupation as defined herein shall be permitted within residential areas, subject to the provisions of Section 158.217(F).

SECTION 4 – SETBACKS AND BUFFERING REQUIREMENTS

(A) Setback Requirements:

1. Setbacks for residential and non-residential uses. Unless otherwise specified within the MPUD, all setbacks shall follow City Code requirements. To allow for connectivity and flexibility of design, a zero (0) foot setback is allowed for shared property lines between the Mixed-Use and the Neighborhood/Village Commercial Areas.

2. Villa dwelling:

Front Yard: Front building setback of twelve and one-half (12.5) feet and front load garage setback of eighteen (18) feet.

Side Yard: Villas (each building containing two (2) dwelling units sharing a common wall along a common property line) shall have a setback of five (5) feet to establish the minimum distance separation of ten (10) feet between buildings.

Rear Yard: Each villa shall have a building setback of ten (10) feet from the rear property line.

3. Townhouse dwelling:

Front Yard: Front building setback of twelve and one-half (12.5) feet and front load garage setback of eighteen (18) feet.

Side Yard: No portion of a townhouse related to one (1) group of contiguous townhouses shall be closer than fifteen (15) feet to any portion of a townhouse structure related to another group of contiguous townhouses. Townhome units located on the interior (between the end units of each building) of a townhome building shall have a zero (0) foot setback on both sides. A minimum depth of ten (10) feet shall be provided between the side of any townhouse dwelling and a private or public street or right-of-way.

Rear Yard: Each townhouse dwelling shall have a building setback of ten (10) feet from the rear property line.

4. Multiple-family dwelling:

Each multi-family development shall have a setback of twenty-five (25) feet from road rights of way and ten (10) feet from side and rear property lines. Where two or more buildings are situated upon a parcel, any two buildings shall be separated by minimum of twenty (20) feet. No building shall have a length exceeding three hundred (300) feet.

5. Accessory Uses and Structures in Residential Areas:

- a. No portion of an accessory structure in or related to one (1) group of contiguous townhouses shall be closer than fifteen (15) feet to any portion of a townhouse or accessory structure related to another group.

- b. Unless otherwise provided for herein, all other accessory uses and structures in residential areas shall be located a minimum of two (2) feet from the rear property line, except where lakes or open space are adjacent to the rear property line and setback may be reduced to zero (0) feet. The minimum setback from the side property lines shall be three (3), provided ten (10) feet shall be provided adjacent to a right-of-way or parking tract.
6. Accessory uses and structures in non-residential areas shall be located a minimum of ten (10) feet from the rear property line. The minimum setback from the side property lines shall be three (3) feet, provided ten (10) feet shall be provided adjacent to a right-of-way.
 7. All other permitted or special exception uses: Setback requirements shall be twenty-five (25) feet from front property lines and from public rights of way, and ten (10) feet from side and rear property lines. To allow for connectivity and flexibility of design, a zero (0) foot setback shall be allowed for shared property lines between the Mixed-Use and Neighborhood/Village Commercial Areas.

(B) Buffering: Unless otherwise specified within the MPUD, buffering shall be provided in accordance with the applicable landscaping requirements of the City Code. All mechanical equipment shall be screened from public view. Buffer walls shall not be required between residential and non-residential uses within the Mixed-Use Area. No perimeter buffering shall be required where adjacent to Riverland Parcel B MPUD.

SECTION 5 - LOT, BUILDING, AND DENSITY REQUIREMENTS

(A) Minimum and Maximum Lot and Outparcel Requirements and Residential Density:

1. Residential:
 - a. Villa dwelling: Three thousand five hundred (3,500) square feet and width of thirty-five (35) feet, with a maximum gross project density of twelve (12) dwelling units per acre.
 - b. Townhouse dwelling: One thousand four hundred (1,400) square feet and a width of eighteen (18) feet, with a maximum gross project density of twenty (20) dwelling units per acre.
 - c. Multiple-family dwelling: Minimum lot requirement of 2 acres. Minimum gross project density of five (5) dwelling units per acre and a maximum gross project density of twenty-eight (28) dwelling units per acre, as allowed by Policy 1.2.2.7 of the City's Comprehensive Plan.
2. Non-residential: A minimum of twenty thousand (20,000) square feet and a minimum width of one hundred (100) feet, subject to meeting parking requirements established under City Code, unless otherwise provided for herein.

(B) Maximum Building Coverage: Eighty percent (80%) provided that the maximum impervious surface does not exceed ninety percent (90%).

(C) Minimum Open Space:

1. For Mixed-Use Areas: Ten percent (10%) for non-residential areas and thirty percent (30%) for residential areas, as required under Policy 1.1.4.7 of the City's Comprehensive Plan. Further, in accordance with Policy 1.2.2.7 of the City's Comprehensive Plan, within open space areas, a minimum of five percent (5%) useable open space in form, function and design like squares, greens,

parks, recreation areas, and/or conservation areas shall be included. Lake areas intended for recreational use and/or stormwater management shall be counted toward open space requirements.

2. For Neighborhood/Village Commercial Areas: Ten percent (10%) for non-residential areas and thirty percent (30%) for residential areas, as required under Policy 1.1.4.7 of the City's Comprehensive Plan. Further, in accordance with Policy 1.2.2.4 of the City's Comprehensive Plan, within open space areas, a minimum of five percent (5%) useable open space in form, function and design like squares, greens, parks, recreation areas, and/or conservation areas shall be included. Lake areas intended for recreational use and/or stormwater management shall be counted toward open space requirements.

(D) Maximum Building Height:

1. For Mixed-Use Areas: One hundred (100) feet, provided residential only uses shall be limited to fifty (50) feet, measured to midpoint of roof pitch, provided that steeples and similar architectural embellishments shall have a maximum height of one hundred (100) feet measured from finished floor elevation.
2. For Neighborhood/Village Commercial Areas: Fifty (50) feet, provided that steeples and similar architectural embellishments shall have a maximum height of one hundred (100) feet.

(E) Minimum Living Area for Residential Dwellings:

1. Villa dwelling: One thousand (1,000) square feet.
2. Townhouse dwelling: One thousand (1,000) square feet.
 - a. Studio apartment, six hundred (600) square feet;
 - b. One (1) bedroom, seven hundred (700) square feet;
 - c. Two (2) bedroom, eight hundred (800) square feet; and
 - d. Three (3) bedroom, nine hundred (900) square feet.
3. Multiple-family dwellings:
 - a. Studio apartment, six hundred (600) square feet;
 - b. One (1) bedroom, seven hundred (700) square feet;
 - c. Two (2) bedroom, eight hundred (800) square feet; and
 - d. Three (3) bedroom, nine hundred (900) square feet.

(F) Minimum Building Size: Non-residential: Minimum total gross floor area of one thousand two hundred (1,200) square feet.

SECTION 6 - PARKING AND PEDESTRIAN REQUIREMENTS

(A) Parking Requirements: Each building, use, or structure shall be provided with on-street and/or off-street parking and service facilities in accordance with the provisions set forth herein. To the extent that a use is not identified below, the parking requirements shall be in accordance with Chapter 158 of the City of Port St. Lucie Land Development Code.

SECTION 7 - PARKING AND PEDESTRIAN REQUIREMENTS

(A) Parking Requirements: Each building, use, or structure shall be provided with on-street and/or off-street parking and service facilities in accordance with the provisions set forth herein. To the extent that a use is not identified below, the parking requirements shall be in accordance with Chapter 158 of the City of Port St. Lucie Land Development Code.

1. Retail and office, including medical: 4 spaces per 1,000 sq. ft.
2. Residential dwellings:

Villa dwelling: 1.5 spaces per dwelling unit. Each villa lot shall provide 1 exterior space (in addition to the 1.5 spaces per unit) in the driveway to accommodate guest parking (Section 158.221(C)(7)(b) of the City of Port St. Lucie Land Development Code). The minimum driveway width from the street to the required enclosed garage spaces shall be a minimum of sixteen (16) feet and the maximum driveway width from the street to the garage enclosures shall be thirty (30) feet. There shall be no required minimum width required for the residential driveway providing separate access to a third enclosed garage space.

Townhouse dwelling: 1 space per dwelling unit. Each townhome lot shall provide 1 exterior space (in addition to the 1 space per unit) in the driveway to accommodate guest parking (Section 158.221(C)(7)(b) of the City of Port. St. Lucie Land Development Code). The minimum driveway width from the street to the required enclosed garage spaces shall be a minimum of twelve (12) feet for single car garage units and a minimum of sixteen (16) feet for two car garage units and the maximum driveway width from the street to the garage enclosures shall be thirty (30) feet.

Multiple-family dwelling: 1.75 spaces per dwelling unit.

3. Restaurant (stand-alone): 1 space per one hundred (100) square feet. Additional parking shall be required for an outdoor seating area when the outdoor seating area exceeds twenty-five percent (25%) of the gross floor area of an approved restaurant.
4. Research and development: 1 space per four hundred (400) square feet.
5. Hotel: 1 space for each guest room, plus 1 space for each ten (10) guest rooms.
6. School (post-secondary, technical or vocation; including art, training and sports): Either eight (8) spaces per classroom (inclusive of lab) or six (6) spaces per one thousand (1,000) square feet, whichever is greater.

(B) Shared or joint use of parking facilities between and among uses is authorized when:

1. There is a relationship among the land uses utilizing shared parking that will attract drivers to two (2) or more uses in a single trip; and,
2. There is adequate linkage between the parking and each of the uses sharing the parking.

(C) Parking areas may be located to the rear or side of the property. Truck loading docks shall be encouraged to be located at the rear of the property.

(D) Pedestrian Access:

1. An on-site pedestrian and bike circulation system which links the street and the primary entrance(s) of the structure(s) on the site shall be provided with each conceptual plan or site plan. Sidewalks or pedestrian ways must connect the required pedestrian system to existing pedestrian systems on adjacent developments if adequate safety and security can be maintained.
2. The circulation system must be hard-surfaced and be at least five (5) feet wide.

SECTION 8 – LANDSCAPING

(A) Plant Materials:

1. For required trees, the species height, spread and minimum clear trunk shall meet or exceed the minimum specified by the USDA's Grades and Standards for Nursery Stock, current edition. Each tree in a grouping shall be counted separately; however, small trees may be planted in groups of two or more as a substitute for a larger tree. Shrub heights shall meet or exceed the minimum specified by the USDA's Grades and Standards for Nursery Stock, current edition.
2. For required trees, the tree species shall be a minimum of twelve (12) feet overall height when planted with a minimum three (3) foot spread in accordance with the USDA's Grades and Standards for Nursery Stock, current edition.
3. Existing plant material used to meet the intent of this section and Chapter 154, City of Port St. Lucie Code of Ordinances, will not have to be of a quality comparable to Florida No. 1 since this material was not nursery grown.
4. A minimum of fifty percent (50%) of all required trees shall be native species. A maximum of twenty-five (25) percent of required trees may be substituted with palm trees. These criteria shall not apply to required street trees.

(B) Easement and Utility Area Landscaping: Trees and all vegetation with intrusive root systems shall not be planted within ten (10) feet of any water and sewer lines, existing utility pole, guy wire, and pad mounted transformers. No protective barriers will be required. All proposed utilities shall maintain separation distances from potable water mains as required by the City and FDEP.

(C) Reserved.

(D) Perimeter Landscape Requirements:

1. Adjacent to lakes may be relocated to other areas within the project site to allow creativity in landscape design adjacent to the lake. Any site plan or plat abutting the Parcel B MPUD shall be excluded from all buffering requirements along that common tract line.
2. Adjacent to collector and arterial roadways: The six (6)-foot fence or wall is at the discretion of the developer; however, the minimum City of Port Lucie landscape (plant material) requirements shall be met.
3. Perimeter landscape buffers may be a minimum of five (5) feet between adjacent parcels where

parking areas are interconnected, provided an area equal to a ten (10) foot buffer is provided elsewhere on site. If a zero (0) foot setback is allowed for shared property lines between developments, perimeter landscaping may apply to the entire site rather than each individual lot provided each property owner, if the properties are under different ownership, acknowledges in writing, No perimeter buffer is required between the Village commercial and the Mixed-Use areas

(E) Parking Lot Landscape Requirements: Landscaping shall be in accordance with Chapter 154 of the City of Port St. Lucie Code of Ordinances, except that ten (10) foot parking islands shall be required to break up rows in groups of twelve (12) contiguous spaces.

(F) Dumpsters and Ground-located Mechanical Equipment: All dumpsters and mechanical equipment shall be screened. Landscaping shall be arranged to create a visual barrier. Where dumpsters and mechanical equipment are visible from a public or private road right-of-way, the six (6)-foot fence or wall is at the discretion of the developer; however, the minimum City of Port Lucie landscape (plant material) requirements shall be met.

(G) Electric Meter Banks for Multi-Tenant Buildings: At the discretion of the developer, screening may be required when meter banks for multi-tenant buildings are located on an exterior wall and visible to the public. The location shall be identified on the site plan or elevation drawings.

(H) Lighting: Where artificial outdoor lighting is provided, it shall be designed and arranged so that no source of the lighting will be a visible nuisance to adjoining property used or zoned for a residential purpose. In addition, the lighting shall be designed and arranged so as to shield public streets and highways and all adjacent properties from direct glare or hazardous interference of any kind.

(I) Street Tree Planting in residential areas/site plans:

1. Fifty (50) foot right of way local streets: street trees shall be provided on both sides of the roadway (refer to Exhibit 19a). Due to the separation restrictions from utilities and driveways on differing lot widths, one tree shall be installed per lot, in lieu of City Code of Ordinance Section 156.121. In cases where expanded lot frontage is available, such as at a corner lot, additional trees may be planted at the recommendation of the applicant's landscape architect. Additionally, when a right-of-way and open space tract are directly adjacent to each other, street trees shall not be required on the open space tract side of the right-of-way. Parallel on-street parking, serving the townhome dwellings, shall not require additional buffering.
2. Eighty (80) foot right of way local streets: street trees shall be provided on both sides of the roadway (refer to Exhibit 19b).
3. Project Entries: In each of the two project entrances wherein a private right-of-way abuts open space tracts which are directly adjacent to each other, street trees shall not be required within the right-of-way. In these instances, the corresponding number of required street trees may be planted within the adjacent open space tracts or relocated to the perimeter buffer tracts.

(J) Unless otherwise specified herein, the developments within this MPUD shall meet or exceed the minimum landscape requirements of the City of Port St. Lucie Code of Ordinances.

SECTION 9 – UTILITIES

Within the Riverland Center Project, all utilities, including telephone, cable, and electrical systems shall be installed underground where possible (i.e., excluding transmission and distribution power lines). Appurtenances to these systems which require above-ground installation shall be effectively screened and, thereby, may be exempted from this requirement. Primary electrical supply facilities providing services to the Riverland Center Project may be exempted from the underground placement as part of the site plan review process, if it shown to the satisfaction of the City that burial options are not feasible. Cost of underground installation is not to be the sole determining factor in determining feasibility.

(A) Proposed Sanitary Sewer System:

The proposed Riverland Center project is located within the City of Port St. Lucie Water and Sewer Service Area. The proposed sanitary sewer system for this project may consist of a combination of gravity and pressurized sanitary sewer mains and manholes, which will flow into an on-site sewage pump (lift) station. The proposed maximum depth of gravity sewer mains and number of lift stations pump stations are dependent on the existing soil conditions and may vary due to those existing soil conditions. The proposed wastewater pump station will have force mains, which will carry the flows to the existing City of Port St. Lucie wastewater transmission system. The conceptual subdivision plan proposes up to one (1) force main connections to the existing City force main on SW Community Blvd. Accommodations for required fiber optic communication/telemetry shall be provided for pump stations.

(B) Proposed Water Distribution System:

The proposed Riverland Center Project is located within the City of Port St. Lucie Water and Sewer Service Area. Water service to this Project's area is via proposed connections to the existing water mains along SW Community Blvd. and within Riverland Parcel B.

The proposed internal Water Distribution System for the Riverland Center project may consist of an 8-inch water line as generally depicted in Exhibit 17. The proposed water mains will be connected to the existing City of Port St. Lucie potable water system. The existing City of Port St. Lucie potable water system consists of large water mains on SW Community Blvd. In addition to the internal water mains to be developed with this MPUD, the City of Port St. Lucie may require additional connections/extensions, the request and associated construction schedules for this water distribution system improvement have not yet been released and are subject to programming by the City of Port St. Lucie.

Fire hydrants shall be installed with all primary water line construction in accord with the St. Lucie County Fire District Standards.

SECTION 10 - WETLANDS

The site undeveloped, comprised of former citrus grove and pasture lands, and has been used for cattle grazing. Army Corp of Engineers permit number SAJ-2006-01921 (IP-CF) issued on 12/21/12 notes Special Condition #4 which required that within 30 days, offsite mitigation credits be purchased from the Bluefield mitigation bank, which was completed. This condition satisfies the wetland impacts for the Riverland/Kennedy DRI. Waters of the state and wildlife foraging areas will be dealt with through retention areas and littoral shelf areas as impacts are created. These retention areas and littoral shelves and related plantings will be addressed with the construction drawings at the time of platting.

SECTION 11 – STORMWATER

In general, all site stormwater retention areas shall be consistent with south Florida Water Management District (SFWMD) requirements and permit standards. Retention area shapes and dimensions as depicted on the conceptual plans may be modified to accommodate final site plans and agency permitting requirements.

EXHIBIT 8

RIVERLAND CENTER MPUD – Legal Description

MIXED-USE SUB DISTRICT LEGAL DESCRIPTION:

A PARCEL OF LAND, BEING A PORTION OF SECTION 21, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF RIVERLAND PARCEL A - PLAT FOURTEEN, AS RECORDED IN PLAT BOOK 87 AT PAGE 33 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF COMMUNITY BOULEVARD AT RIVERLAND PARCEL A - PHASE 2, AS RECORDED IN PLAT BOOK 85 AT PAGE 35, OF SAID PUBLIC RECORDS; THENCE SOUTH 00°05'34" WEST ALONG SAID WEST RIGHT-OF-WAY LINE OF COMMUNITY BOULEVARD AND THE SOUTHERLY PROJECTION THEREOF, A DISTANCE OF 1943.83 FEET; THENCE, NORTH 89°54'26" WEST, A DISTANCE OF 71.09 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 654.98 FEET; THENCE SOUTH 30°26'54" WEST, A DISTANCE OF 305.04 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 256.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 51°25'07", A DISTANCE OF 229.74 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 81°52'01" WEST, A DISTANCE OF 604.73 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 60.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°53'26", A DISTANCE OF 95.18 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 09°01'25" EAST, A DISTANCE OF 319.50 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 116.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 77°14'07", A DISTANCE OF 156.37 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 50.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 73°36'43", A DISTANCE OF 64.24 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 05°24'01" EAST, A DISTANCE OF 40.60 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF E/W #3 AS RECORDED IN OFFICIAL RECORD BOOK 3902 AT PAGE 465 OF SAID PUBLIC RECORDS AND A POINT ON A RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 8076.97 FEET FROM WHICH A RADIAL LINE BEARS SOUTH 05°24'01" EAST; THENCE EASTERLY ALONG SAID NORTH LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°13'04", A DISTANCE OF 1722.32 FEET; THENCE, CONTINUING ALONG SAID NORTH LINE, NORTH 46°45'54" EAST, A DISTANCE OF 53.66 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF AFORESAID COMMUNITY BOULEVARD ACCORDING TO OFFICIAL RECORDS BOOK 3902, PAGE 503, SAID PUBLIC RECORDS AND A POINT ON A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 2065.00 FEET FROM WHICH A RADIAL LINE BEARS SOUTH 86°42'45" WEST; THENCE NORTHERLY ALONG SAID WEST LINE THE FOLLOWING FOUR (4) DESCRIBED COURSES AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 7°21'42", A DISTANCE OF 265.32 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 2215.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°44'31", A DISTANCE OF 415.27 FEET TO THE POINT OF TANGENCY; THENCE NORTH 00°05'34" EAST, A DISTANCE OF 250.85 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 2215.00 FEET;

THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 3°24'22", A DISTANCE OF 131.68 FEET TO THE POINT OF BEGINNING.

CONTAINING 31.542 ACRES, MORE OR LESS.

TOGETHER WITH:

NEIGHBORHOOD/VILLAGE COMMERCIAL SUB DISTRICT LEGAL DESCRIPTION:

A PARCEL OF LAND, BEING A PORTION OF SECTION 21, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF RIVERLAND PARCEL A - PLAT FOURTEEN, AS RECORDED IN PLAT BOOK 87, PAGE 33 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID POINT ALSO BEING A POINT ON THE WEST RIGHT-OF-WAY LINE OF COMMUNITY BOULEVARD AT RIVERLAND PARCEL A - PHASE 2, AS RECORDED IN PLAT BOOK 85 AT PAGE 35, OF SAID PUBLIC RECORDS; THENCE SOUTH 00°05'34" WEST ALONG SAID WEST RIGHT-OF-WAY LINE OF COMMUNITY BOULEVARD AND THE SOUTHERLY PROJECTION THEREOF, A DISTANCE OF 1943.83 FEET; THENCE, NORTH 89°54'26" WEST, A DISTANCE OF 71.09 FEET TO THE POINT OF BEGINNING; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 654.98 FEET; THENCE NORTH 30°26'54" EAST, A DISTANCE OF 491.98 FEET TO A POINT OF NON-RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST, FROM WHICH A RADIAL LINE BEARS NORTH 40°00'43" EAST AND HAVING A RADIUS OF 825.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°28'09", A DISTANCE OF 438.72 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 40.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°04'55", A DISTANCE OF 62.19 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF COMMUNITY BOULEVARD ACCORDING TO OFFICIAL RECORDS BOOK 3902, PAGE 503, SAID PUBLIC RECORDS AND BEING A POINT ON A CURVE CONCAVE TO THE EAST, FROM WHICH A RADIAL LINE BEARS SOUTH 81°22'31" EAST AND HAVING A RADIUS OF 2215.00 FEET; THENCE SOUTHERLY ALONG SAID WEST LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 7°20'09", A DISTANCE OF 283.60 FEET TO A POINT OF INTERSECTION WITH A NON-RADIAL LINE AND THE POINT OF BEGINNING.

CONTAINING 4.155 ACRES, MORE OR LESS.

EXHIBIT 9

RIVERLAND/KENNEDY MPUD – Riverland Center Development Program

Land Use/Use	Acreage	Yield
Mixed Use <ul style="list-style-type: none"> • Non-residential Uses • Residential 	31.542 acres (total, gross) 22.079 acres (total, gross) * 9.463 acres (total, gross) * * Per Future Land Use Element Policy 1.2.2.7.c., a minimum of 30% and a maximum of 70% of the net acreage of the Mixed-Use area shall be residential.	110,000 sf (max) 261 dwelling units (max)
Neighborhood/Village Commercial <ul style="list-style-type: none"> • Non-residential Uses 	4.144 acres (total)	20,000 sf (max)
Total	35.697 acres	130,000 sf (max) 261 dwelling units (max)

EXHIBIT 10

BINDING MPUD AGREEMENT

Riverland/Kennedy MPUD – Riverland Center

The property, as described in Exhibit 8, is under unified control of the undersigned petitioner who agrees to (1) proceed with the proposed development according to the provisions of the City of Port St. Lucie MPUD Zoning Regulations; and (2) provide such 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. In addition, the said petitioner shall be responsible for the continuing operations and maintenance of such areas, functions and facilities until such time as a private property owners association, yet to be established, agrees to accept the same responsibilities. Such responsibilities are not to be provided or maintained at public expense. The petitioner further agrees to bind all successors in title to the commitments herein in this paragraph made.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 30th day of March, 2022.


WITNESS:

Riverland/Kennedy II, LLC, a Florida Limited Liability Corporation

By:


Printed Name: Michael Fogarty

By:


Azlina Goldstein, Authorized Signatory
1600 Sawgrass Corporate Parkway,
Suite 150
Sunrise, FL 33323

By:




Printed Name: Kevin Ratterree

EXHIBIT 11 - SITE LOCATION MAP



RIVERLAND CENTER
Port St. Lucie

LEGEND

-  PROJECT SITE
NEIGHBORHOOD/ VILLAGE COMMERCIAL &
MIXED USE
-  RIVERLAND / KENNEDY DRI



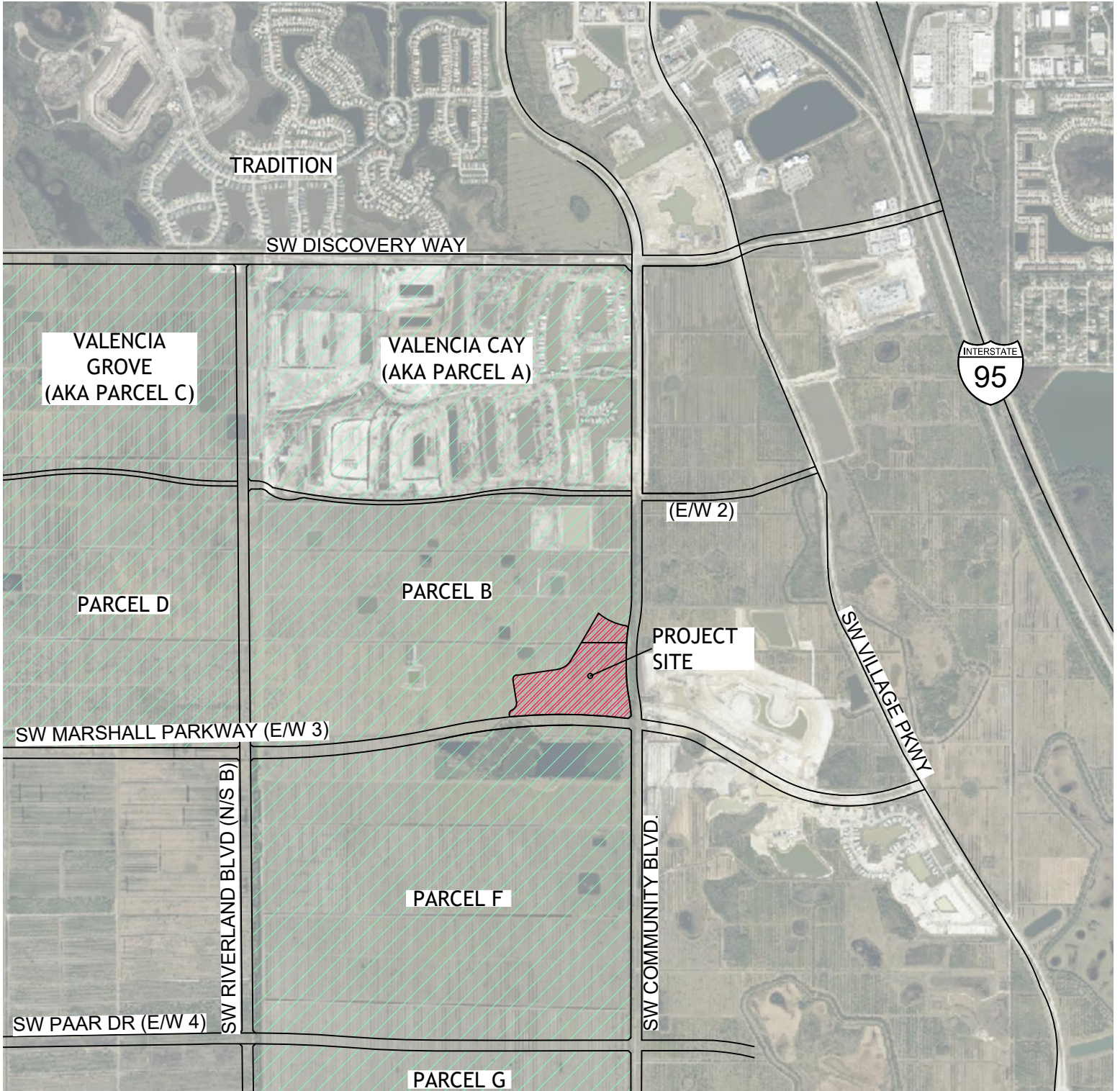
1" = 5000'

EXHIBIT 11
SITE LOCATION
MAP

(P22-001)
EXH-11

\\G:\HOMES\NETWORK\DATA\ARCHITECTURE\LANDSCAPE\ARCHITECTURE\RIVERLAND\ARCHITECTURE\RIVERLAND CENTER 2022-03-31\RIVERLAND CENTER 11.DWG Plot Date: 30 3/30/2022 1:36P by EVELYN.PACHECO



EXHIBIT 12 - VICINITY MAP



RIVERLAND CENTER
Port St. Lucie

EXHIBIT 12
VICINITY MAP

LEGEND

-  PROJECT SITE
 -  RIVERLAND / KENNEDY DRI
- NEIGHBORHOOD/ VILLAGE COMMERCIAL & MIXED USE

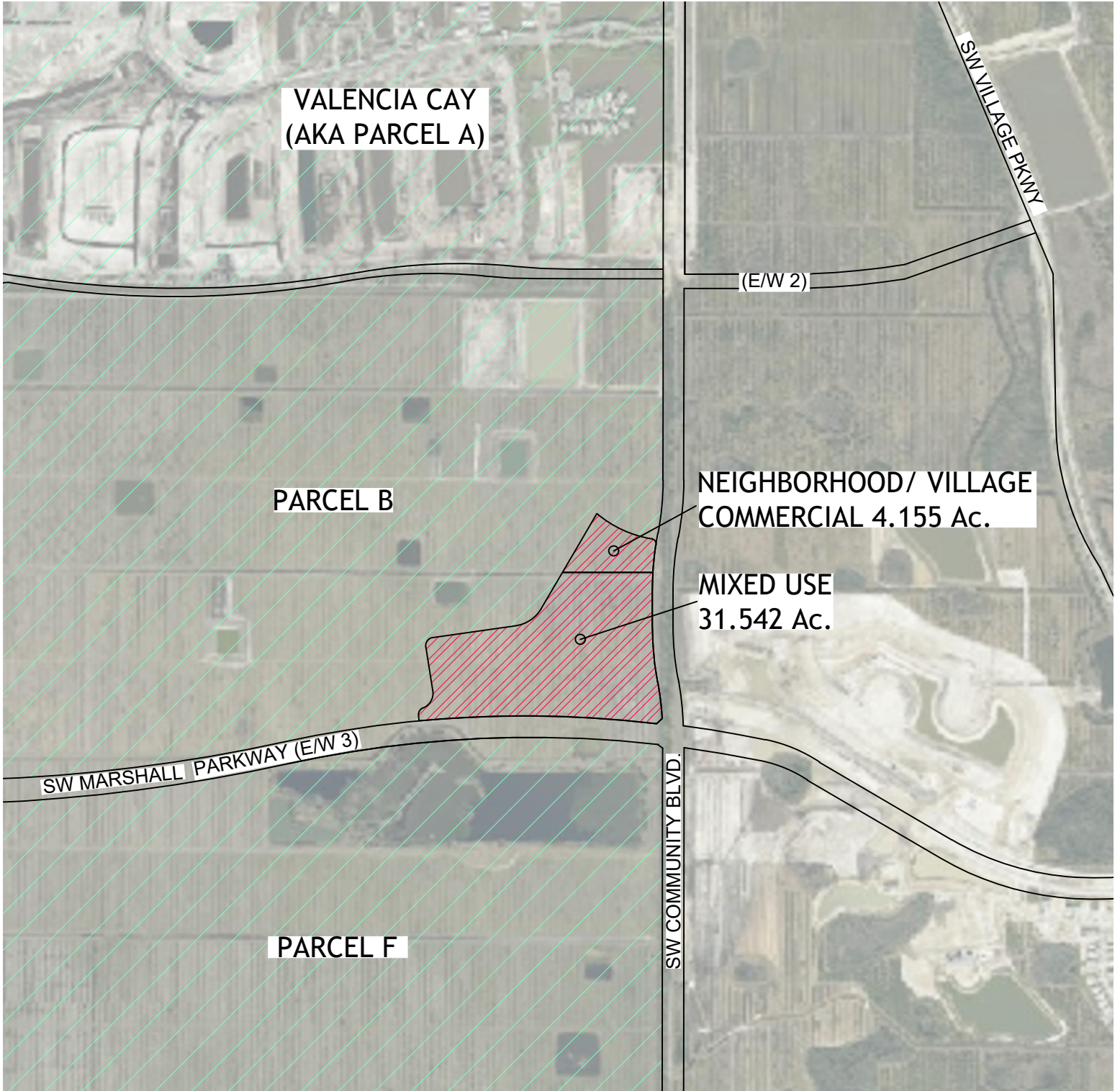


1" = 2000'

(P22-001)
EXH-12

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EXHIBIT 13 - SITE AERIAL



RIVERLAND CENTER
Port St. Lucie

EXHIBIT 13
SITE AERIAL

LEGEND

 PROJECT SITE
NEIGHBORHOOD/ VILLAGE COMMERCIAL (4.155 Acres) &
MIXED USE (31.542 Acres)

 RIVERLAND / KENNEDY DRI

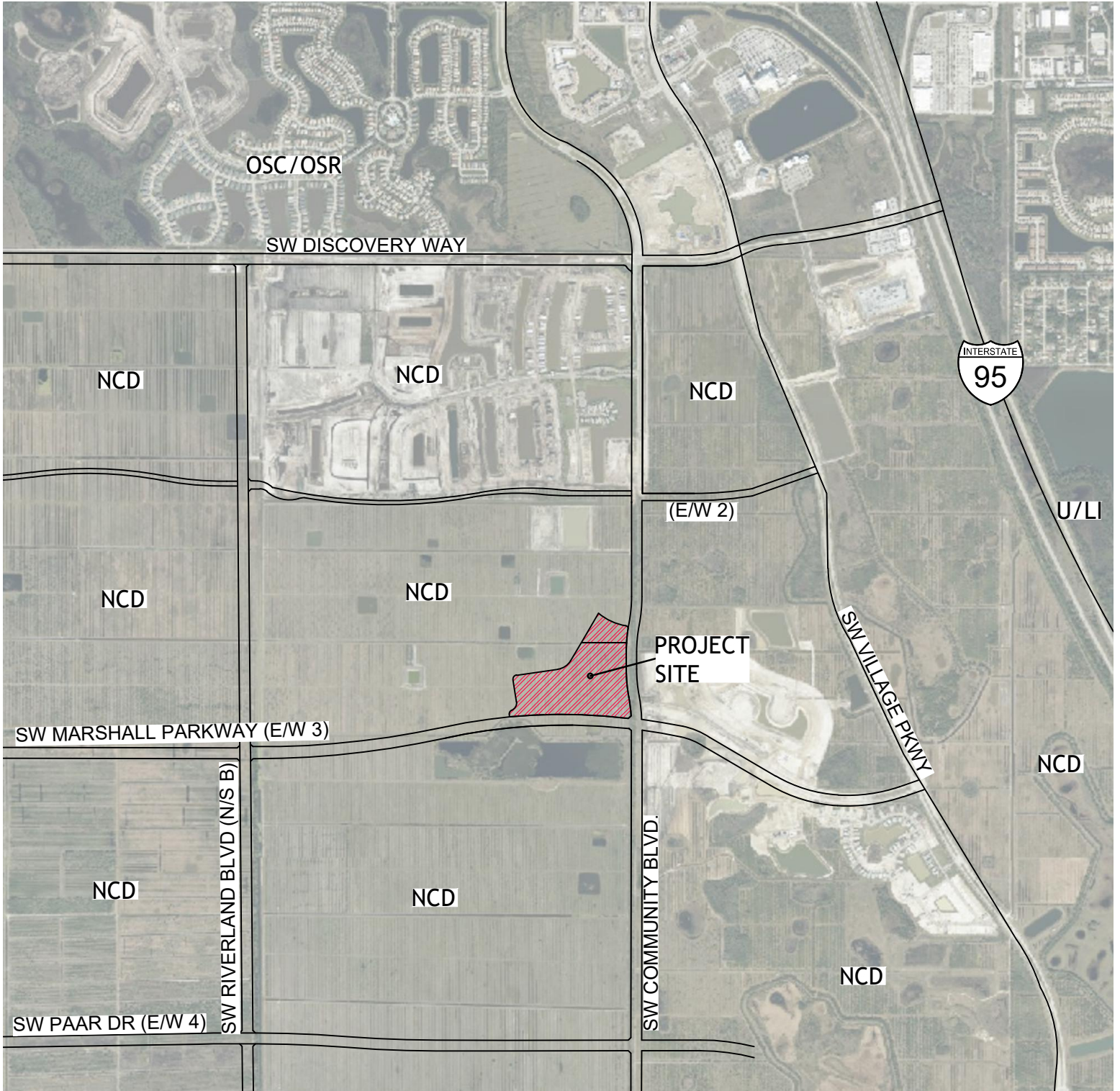


1" = 1000'

(P22-001)
EXH-13



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EXHIBIT 14 - FUTURE LAND USE MAP



RIVERLAND CENTER
Port St. Lucie

LEGEND

-  PROJECT SITE
-  NEIGHBORHOOD/ VILLAGE COMMERCIAL & MIXED USE



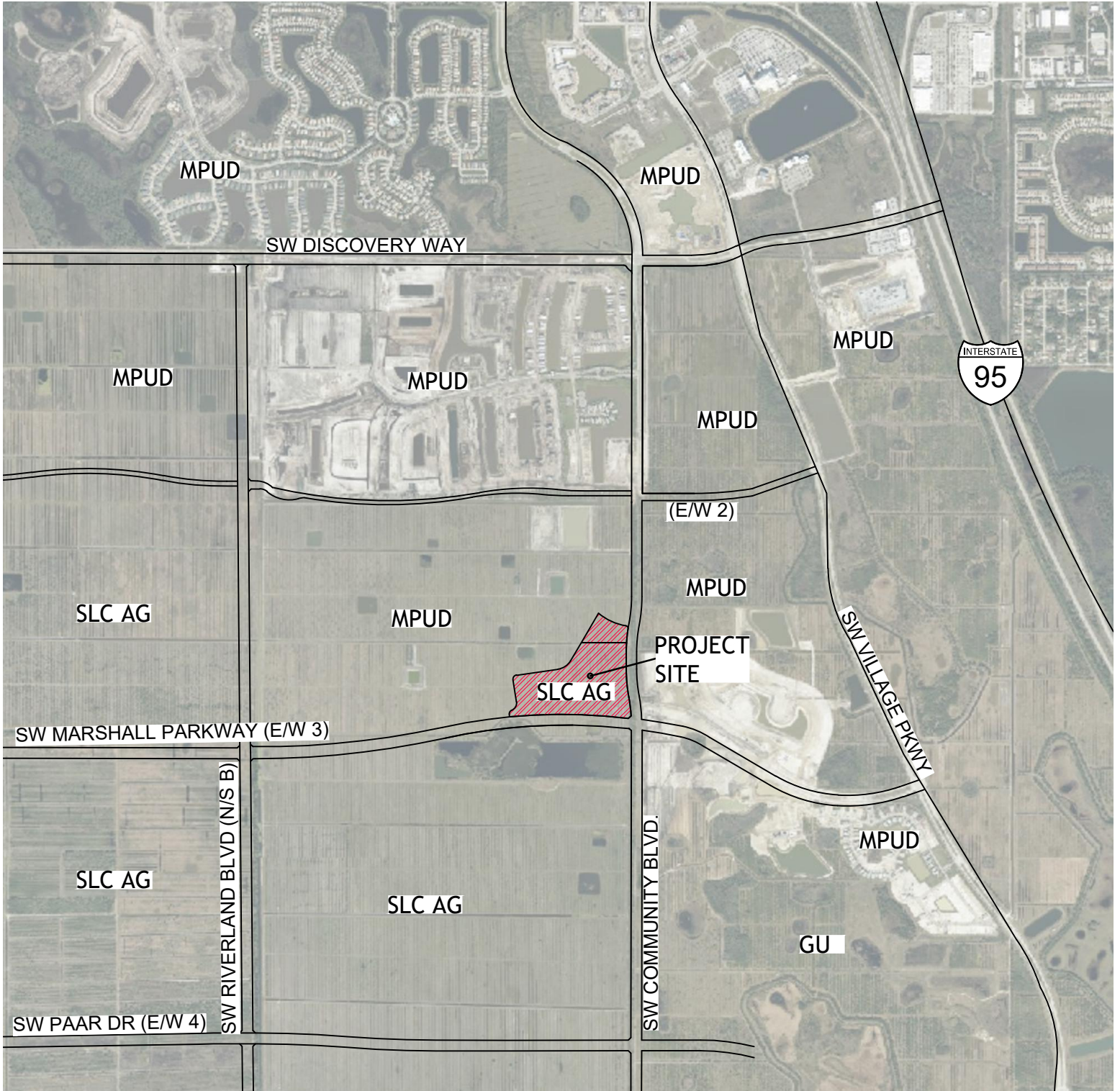
1" = 2000'

EXHIBIT 14
EXISTING FUTURE
LAND USE MAP

(P22-001)
EXH-14



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EXHIBIT 15 - EXISTING ZONING MAP



RIVERLAND CENTER
Port St. Lucie

LEGEND

-  PROJECT SITE
-  NEIGHBORHOOD/ VILLAGE COMMERCIAL & MIXED USE



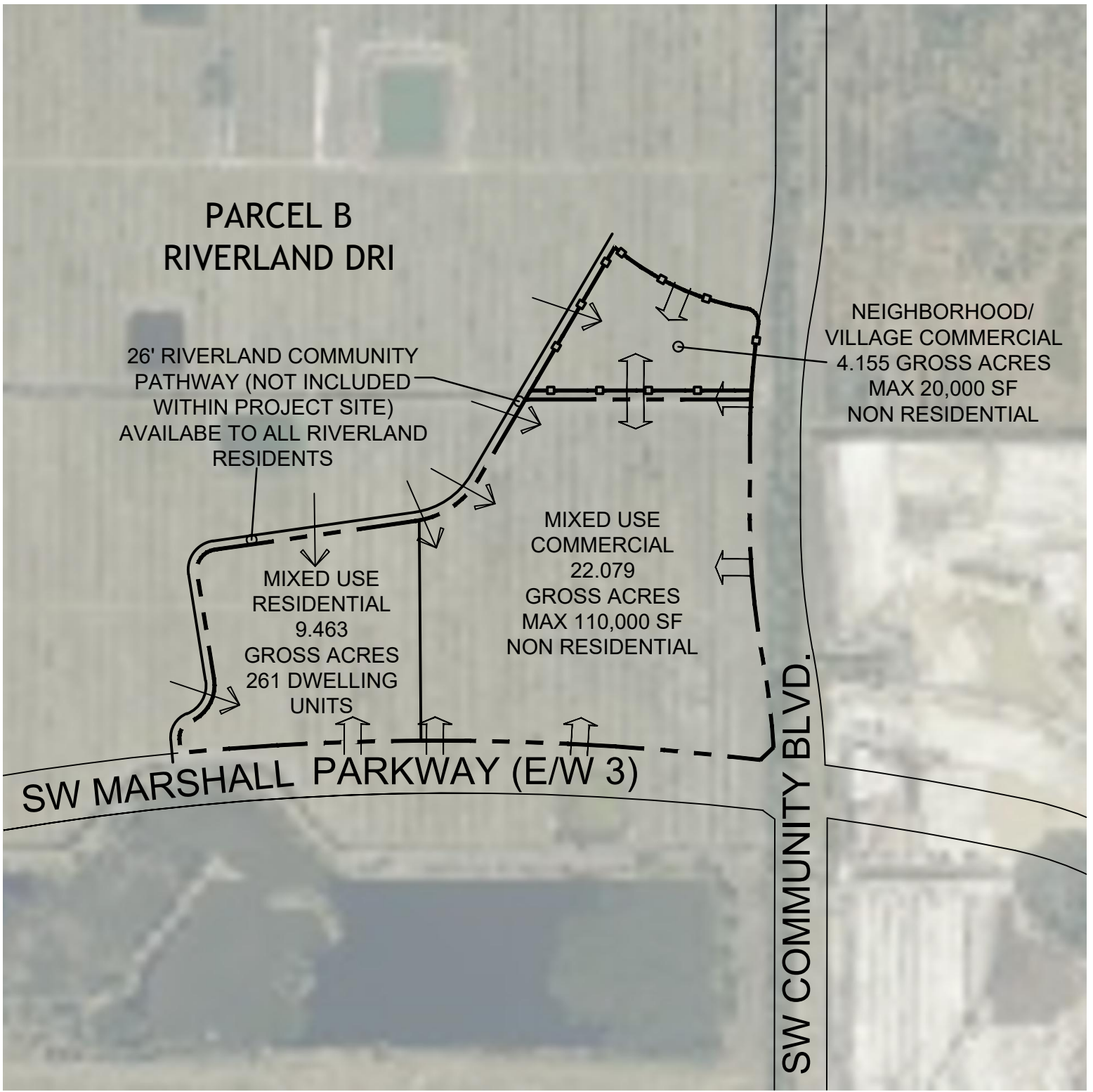
1" = 2000'

EXHIBIT 15
EXISTING
ZONING MAP

(P22-001)
EXH-15

\\G:\HOMES\NETWORK\DATA\ARCHITECTURE\LANDSCAPE ARCHITECTURE\RIVERLAND CENTER\2022-03-31\RIVERLAND CENTER 11.DWG Plot Date: 30 3/30/2022 1:36P by EVELYN.PACHECO

EXHIBIT 16 - CONCEPTUAL PLAN

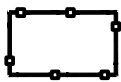


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RIVERLAND CENTER

Port St. Lucie
(PROJECT SITE TOTAL = 35.697 Acres)

LEGEND



NEIGHBORHOOD/
VILLAGE COMMERCIAL
(4.155 Acres)



MIXED USE
(31.542 Acres)



VEHICULAR



GOLF CART
PEDESTRIAN (OPTIONAL)



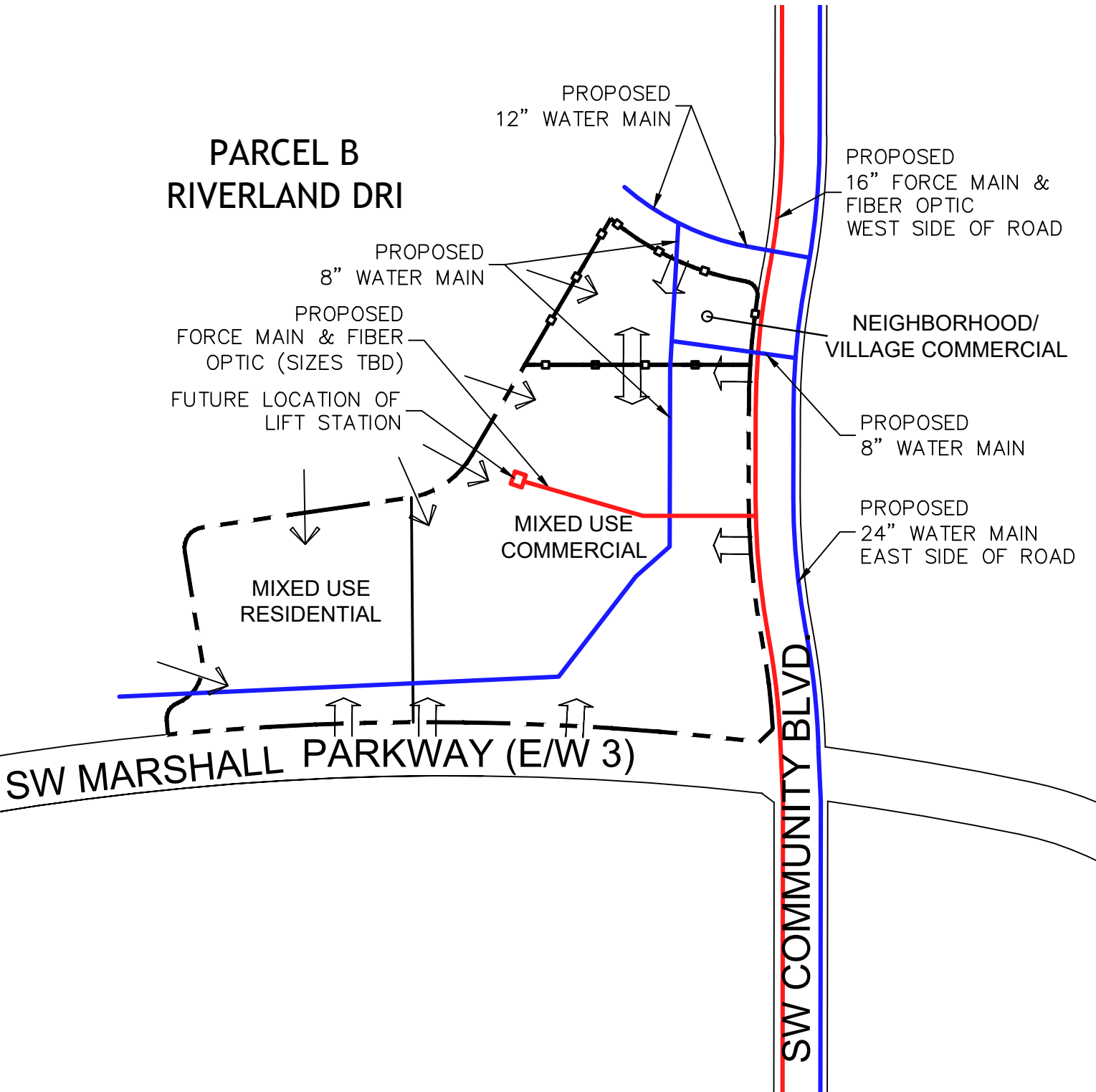
1" = 400'

EXHIBIT 16
CONCEPTUAL
PLAN

(P22-001)
EXH-16

EXHIBIT 17 - WATER/SEWER PLAN

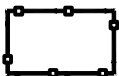
PARCEL B
RIVERLAND DRI



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RIVERLAND CENTER
Port St. Lucie

LEGEND



NEIGHBORHOOD/
VILLAGE COMMERCIAL

⇒ VEHICULAR



MIXED USE

→ GOLF CART
PEDESTRIAN (OPTIONAL)

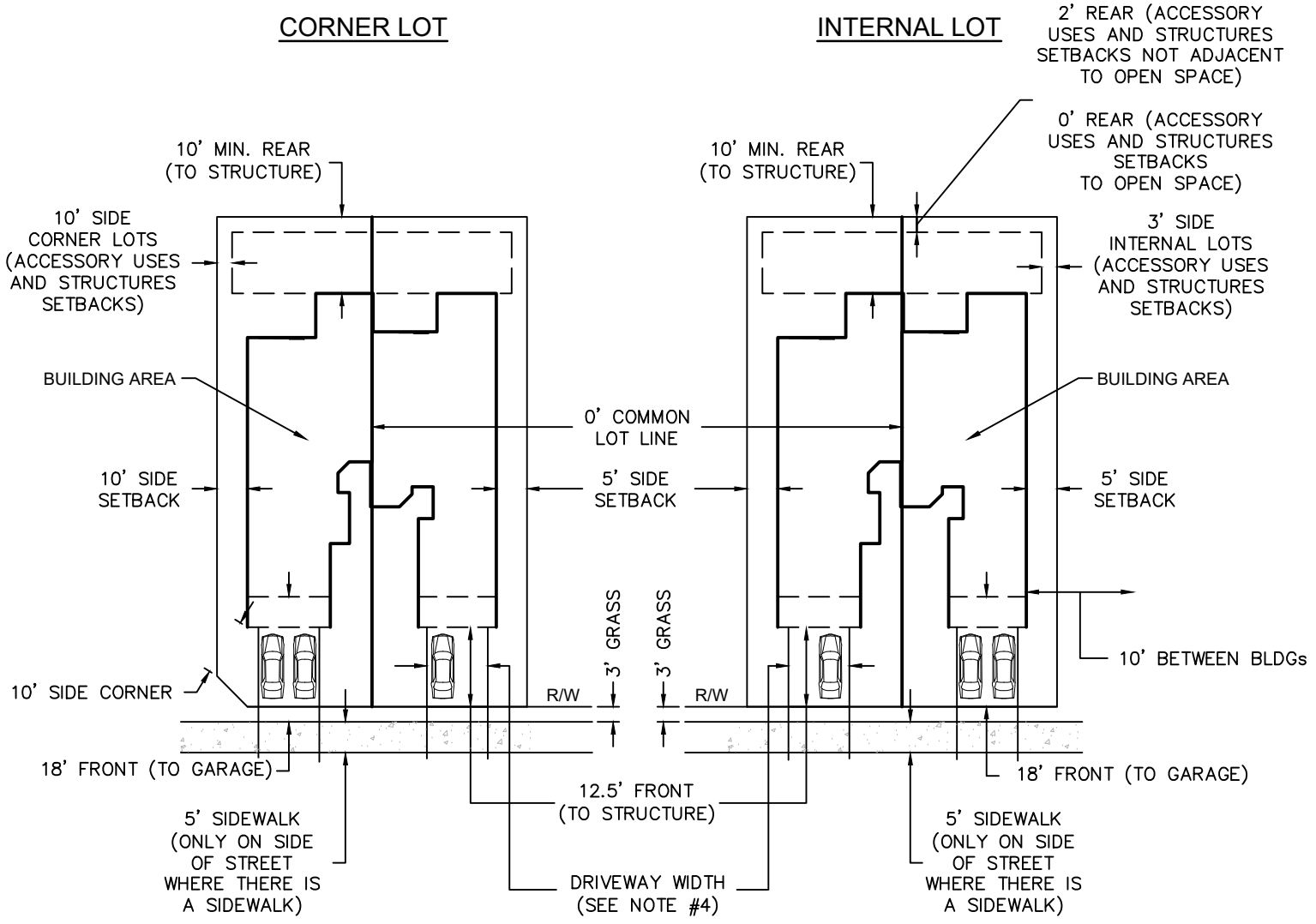


1" = 400'

EXHIBIT 17
WATER/
SEWER PLAN

(P22-001)
EXH-17

EXHIBIT 18a
TYPICAL VILLA LOT
NO ALLEY FRONT LOADED
50' LOCAL STREET



BUILDING LOT COVERAGE AREA SHALL BE A MAXIMUM OF 60% OF LOT AREA, MAXIMUM IMPERVIOUS SHALL BE 80%

NOTES:

1. NON ALLEY LOTS
2. SIDE SETBACKS FOR CORNER LOTS ADJACENT TO A STREET IS 10'
3. SIDE SETBACKS FOR CORNER LOTS WITH A SIDE LOADED GARAGE (TO GARAGE) IS 18'
4. THE MINIMUM DRIVEWAY WIDTH FROM THE STREET TO THE ENCLOSED GARAGE SPACES SHALL BE A MINIMUM OF SIXTEEN (16) FEET, AND THE MAXIMUM DRIVEWAY WIDTH FROM THE STREET TO THE GARAGE ENCLOSURES SHALL BE THIRTY (30) FEET. THERE SHALL BE NO REQUIRED MINIMUM WIDTH REQUIRED FOR THE RESIDENTIAL DRIVEWAY PROVIDING ACCESS TO A THIRD ENCLOSED GARAGE SPACE.
5. THE SEPARATION FROM EDGE OF DRIVEWAYS TO THE SANITARY/WATER SERVICES SHALL BE IN CONFORMANCE WITH UTILITY SYSTEMS DEPARTMENT STANDARDS.

LOT WIDTH MEANS THE HORIZONTAL DISTANCE BETWEEN THE SIDE LOT LINES MEASURED AT RIGHT ANGLES TO THE LOT DEPTH AT A POINT MIDWAY BETWEEN THE FRONT AND REAR PROPERTY LINES.

THE MINIMUM FRONT LOT WIDTH AT THE R-O-W LINE SHALL BE 18 FEET

TYPICAL VILLA LOT

SCALE: 1" = 10'
DATE: 2021-11-10
DESIGNED BY:MPF
CHECKED BY: KR
FILE NAME: Exhibit-18a

RIVERLAND CENTER

Port St. Lucie, Florida

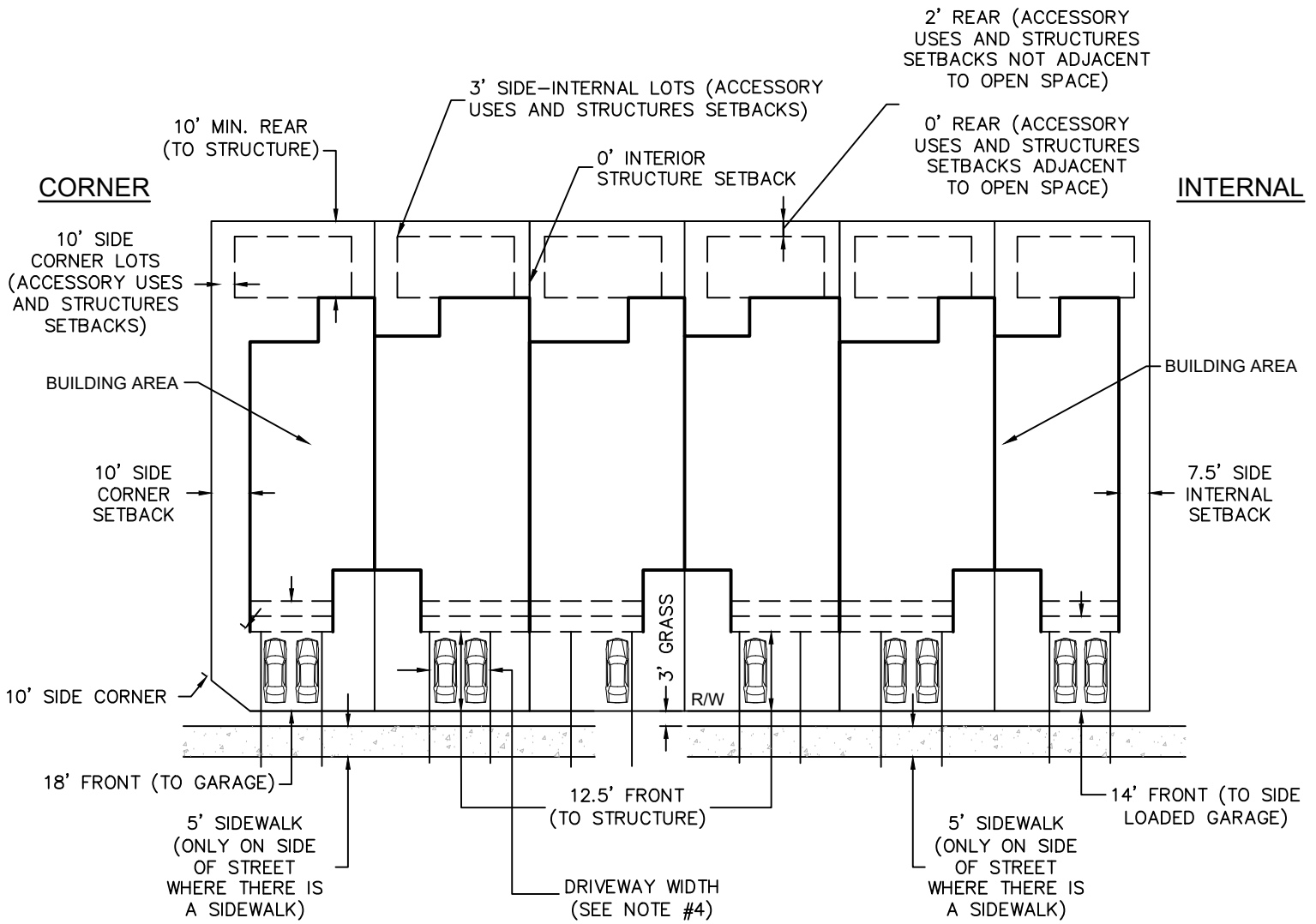
EXHIBIT 18a

TYPICAL LOT - VILLA - FRONT LOADED - 50' LOCAL STREET

(P22-001)
EXH-18a

Page 35

EXHIBIT 18b TYPICAL TOWNHOME LOT NO ALLEY FRONT LOADED 50' LOCAL STREET



BUILDING LOT COVERAGE AREA SHALL BE A MAXIMUM OF 60% OF LOT AREA, MAXIMUM IMPERVIOUS SHALL BE 80%

NOTES:

1. NON ALLEY LOTS
2. SIDE SETBACKS FOR CORNER LOTS ADJACENT TO A STREET IS 10'
3. SIDE SETBACKS FOR CORNER LOTS WITH A SIDE LOADED GARAGE (TO GARAGE) IS 18'
4. THE MINIMUM DRIVEWAY WIDTH FROM THE STREET TO THE ENCLOSED GARAGE SPACE SHALL BE A MINIMUM OF SIXTEEN (16) FEET FOR TWO CAR GARAGE UNITS AND A MINIMUM OF TWELVE (12) FEET FOR ONE CAR GARAGE UNITS, AND A MAXIMUM DRIVEWAY WIDTH FROM THE STREET TO THE GARAGE ENCLOSURE SHALL BE THIRTY (30) FEET.
5. THE SEPARATION FROM EDGE OF DRIVEWAYS TO THE SANITARY/WATER SERVICES SHALL BE IN CONFORMANCE WITH UTILITY SYSTEMS DEPARTMENT STANDARDS.

LOT WIDTH MEANS THE HORIZONTAL DISTANCE BETWEEN THE SIDE LOT LINES MEASURED AT RIGHT ANGLES TO THE LOT DEPTH AT A POINT MIDWAY BETWEEN THE FRONT AND REAR PROPERTY LINES.

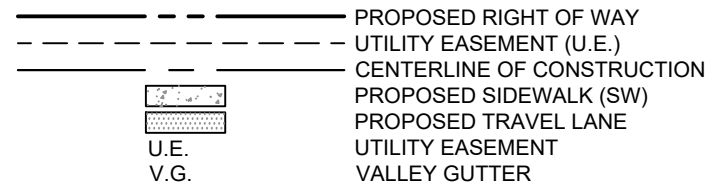
THE MINIMUM FRONT LOT WIDTH AT THE R-O-W LINE SHALL BE 18 FEET

TYPICAL TOWNHOME LOT

\\G:\HOMES\NETWORK\DATA\ARCHITECTURE\LANDSCAPE\ARCHITECTURE\RIVERLAND\CENTER\2022-03-31\RIVERLAND CENTER 18.DWG Plot Date: 30 3/30/2022 1:10P by EVELYN.PACHECO

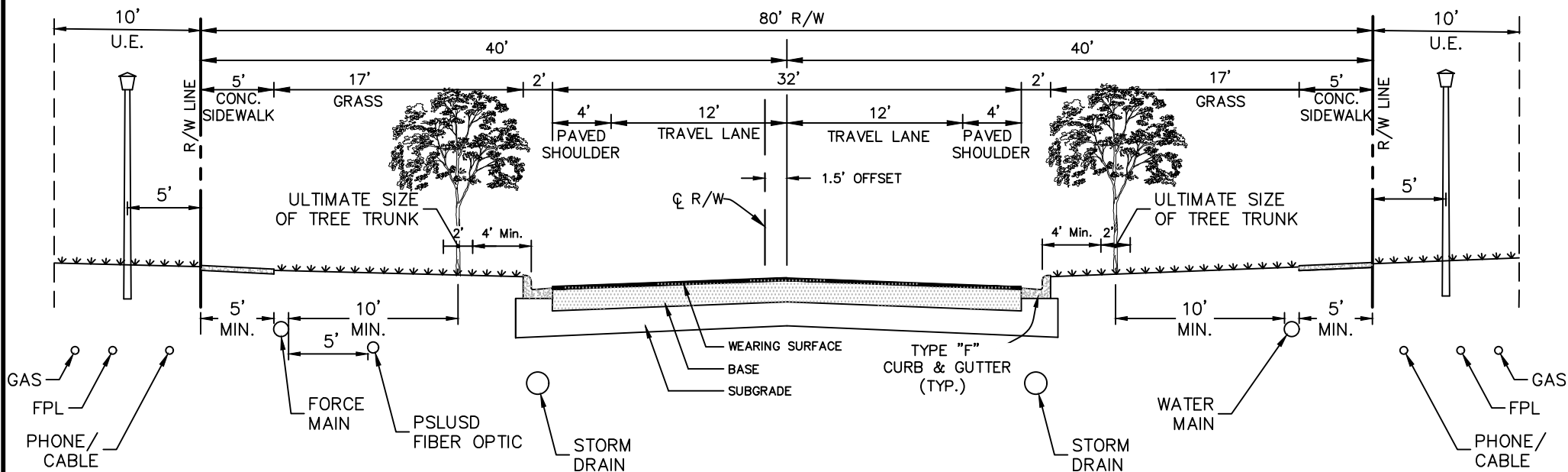
<p>SCALE: 1" = 10' DATE: 2021-11-10 DESIGNED BY: MPF CHECKED BY: KR FILE NAME: Exhibit-18b</p>	<p>RIVERLAND CENTER Port St. Lucie, Florida EXHIBIT - 18b TYPICAL LOT - TOWNHOME - FRONT LOADED - 50' LOCAL STREET</p>	<p>(P22-001) EXH-18b <hr/>Page 36</p>
<p>1600 Sawgrass Corporate Pkwy. - Suite 400 Sunrise, Florida 33323</p>		

LEGEND



NOTES:

1. STREET TREES MAY BE INSTALLED IN ACCORDANCE WITH SECTION 156.121 OF THE CITY OF PORT ST. LUCIE CODE OF ORDINANCES.
2. IN LIEU OF TWO 5' SIDEWALKS, ONE 8' PATH MAY BE SUBSTITUTED AS APPROVED BY THE PORT ST. LUCIE UTILITY SYSTEMS DEPARTMENT.
3. STREET LIGHT STYLE, HEIGHT, AND SPACING SHALL BE ADJUSTED TO MEET PSL AND FPL LIGHTING STANDARDS.
4. STREET TREES AND LIGHTS WILL MEET FDOT CLEAR ZONE AND SIGHT DISTANCE REQUIREMENTS.
5. POSTED SPEED LIMIT: 25 MPH
6. PRIVATE ROADWAY OWNED AND MAINTAINED BY A PRIVATE ENTITY AND NOT THE CITY OF PORT ST. LUCIE.
7. SIDEWALKS SHALL NOT BE REQUIRED ON "DEAD-END" ROADWAYS.



RESIDENTIAL LOCAL 2-LANE ROADWAY - 80' ROW
TYPICAL SECTION

N.T.S.

LOCATION OF SIDEWALKS MAY VARY.
 FINAL LOCATION OF UTILITIES MAY BE
 ADJUSTED FOR SPECIFIC CONDITION

SCALE: N.T.S.
 DATE: 2022-02-02
 DESIGNED BY: MPF
 CHECKED BY: KR
 FILE NAME:
 Exhibit-19b

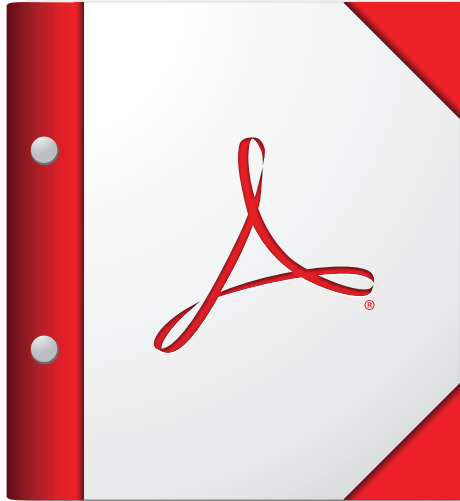
1600 Sawgrass Corporate Pkwy. - Suite 400
 Sunrise, Florida 33323

RIVERLAND CENTER
 Port St. Lucie, Florida
EXHIBIT 19b
 TYPICAL ROADWAY SECTION - 80' RIGHT-OF-WAY

(P22-001)
 EXH-19b

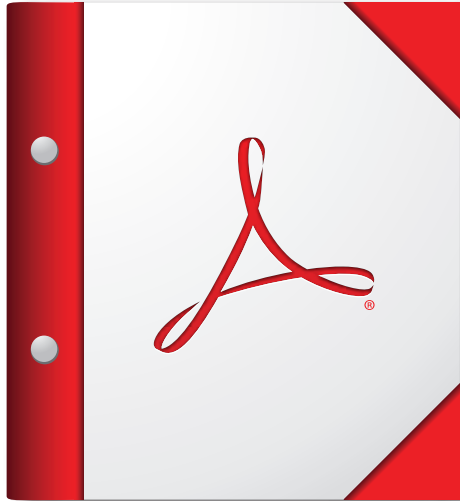
TYPE	STATUS	BUILDING TYPE	
PR	AWAITING CUSTOMER RESPONSE		
ASSIGNED TO			
Daniel Robinson; Melissa Perry; Michele Holler; Public Works Engineering			
ADDRESS			
Riverland/Kennedy DRI			
SECTION	BLOCK	LOT	
PI 14	Riverland/Kennedy	Par "A"	
LEGAL DESCRIPTION			
See attached Exhibit 8 to MPUD and Boundary Surveys			
SITE LOCATION			
Riverland/Kennedy DRI			
PARCEL #			
4321-411-0001-000-7			
CURRENT LANDUSE	PROPOSED LANDUSE	CURRENT ZONING	PROPOSED ZONING
NCD		MPUD	MPUD
ACREAGE	NON-RESIDENTIAL SQ. FOOTAGE	NO. OF RESIDENTIAL UNITS	
35.697			
NO. OF LOTS OR TRACTS	NO. OF SHEETS IN PLAT		
0	0		
UTILITY PROVIDER			
CITY OF PORT ST. LUCIE			
DESCRIBE REQUEST			
MPUD rezone application for the Riverland/Kennedy DRI Riverland Center			
Primary Contact Email			
azlina.goldstein@glhomes.com			
AGENT/APPLICANT			
FIRST NAME			LAST NAME
Azlina			Goldstein
Business Name			
ADDRESS			
10735 SW Matisse Lane			
CITY	STATE	ZIP	
Port St. Lucie	FL	34987	
EMAIL			PHONE
azlina.goldstein@glhomes.com			9547531730
AUTHORIZED SIGNATORY OF CORPORATION			
FIRST NAME			LAST NAME
Azlina			Goldstein
ADDRESS			
10735 SW Matisse Lane			
CITY	STATE	ZIP	
Port St. Lucie	FL	34987	

EMAIL		PHONE	
azlina.goldstein@glhomes.com		9545590465	
PROJECT ARCHITECT/ENGINEER			
FIRST NAME		LAST NAME	
Business Name			
ADDRESS			
CITY	STATE	ZIP	
EMAIL	PHONE		
PROPERTY OWNER			
Business Name			
Riverland/Kennedy II, LLC			
ADDRESS			
1600 Sawgrass Corporate Parkway, Suite 150			
CITY	STATE	ZIP	
Sunrise	FL	33323	
EMAIL	PHONE		
azlina.goldstein@glhomes.com	(954) 559-0465		



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Riverland/Kennedy DRI

Riverland Center

- Master Planned Unit Development (MPUD) Rezoning Application
- Project No. P22-001
- Planning and Zoning Meeting of July 5, 2022

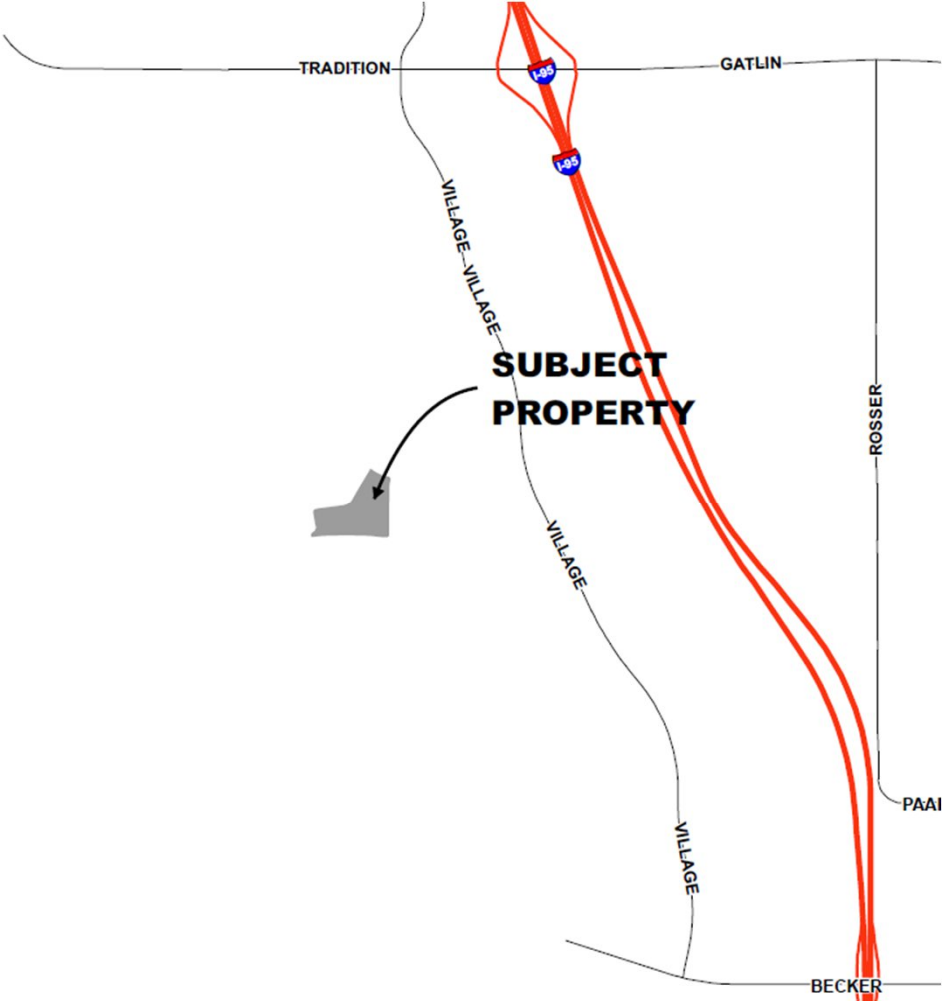


Applicant and Owner

Azlina Goldstein of GL Homes is acting as the agent for the owners,
Riverland/Kennedy II, LLC.



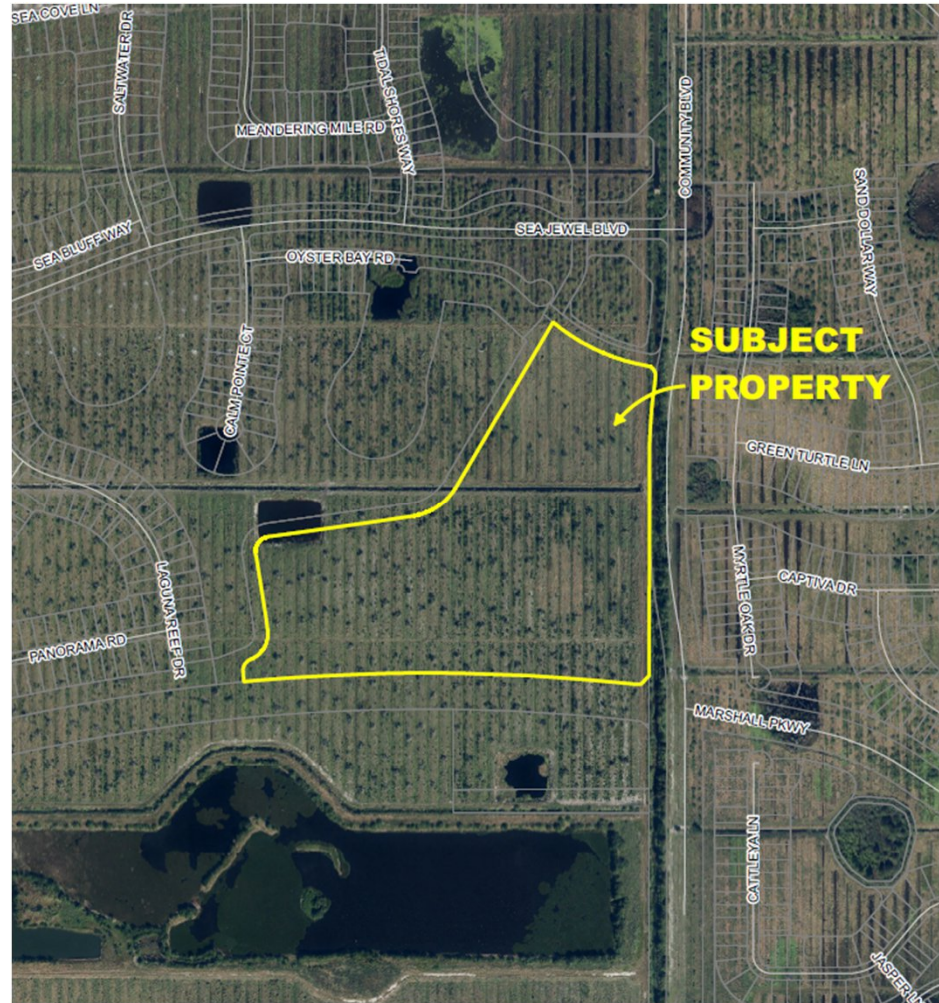
Subject property



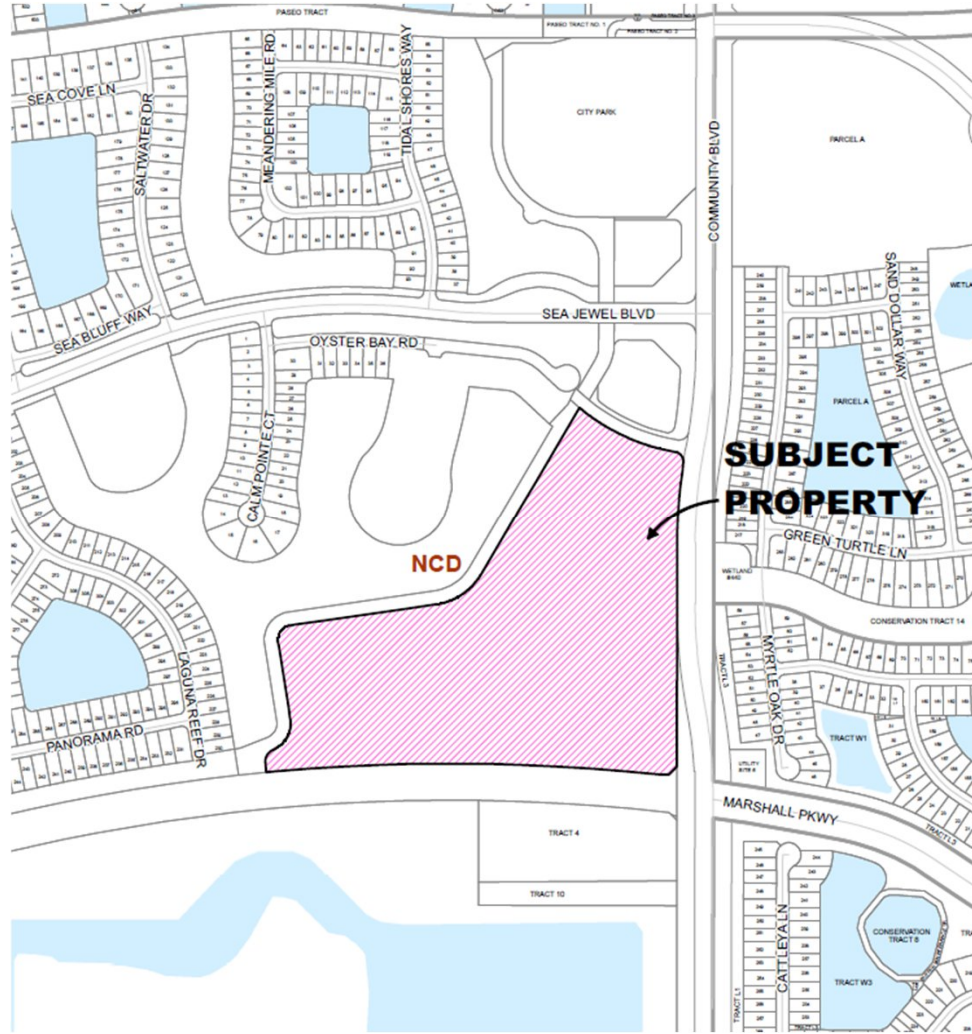
CityofPSL.com



Aerial



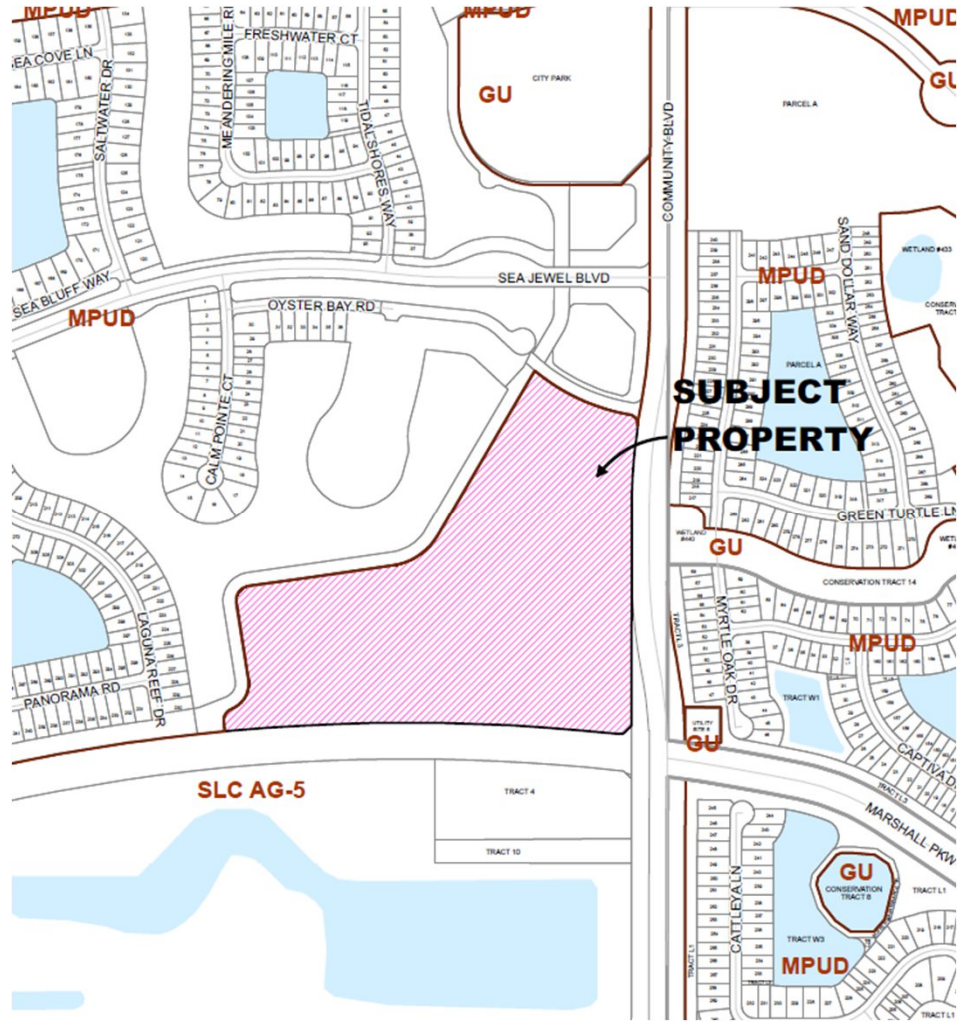
Land Use



CityofPSL.com



Zoning



Proposal of Rezoning Application

The proposed MPUD will allow for 261 dwellings units and 130,000 square feet of non-residential uses.

Development standards are included in the MPUD document for a Mixed-Use Area and a Neighborhood/Village Commercial Area

Proposed permitted uses within both include residential and commercial.



Land Use

The proposed MPUD is consistent with Policies 1.2.2.4 and 1.2.2.7 of the Future Land Use Element regarding the development of Neighborhood/Village Commercial areas and Mixed-Use Areas within an NCD District and Policy 1.2.3.4 regarding the provision of pedestrian/bicycle paths to interconnect residential and non-residential areas.



Traffic Impact Analysis

- Received February 2022
- Report completed by Simmons & White for Riverland
- Reviewed by City Staff
- 3rd party consultant (Marlin Engineering) hired by City to review
- Found to be consistent with the MPUD



Permitted Trip Counts

1,939 Building Permits issued as of 5/26/22

Age Restricted

PM Peak = 804 Total Trips

- No additional roadway requirements are triggered at this time.
- DRI requirement for 2 lanes of Community Blvd. from Discovery to E/W 3 is not triggered until either 700 dwelling unit permits or 828 Total Net External PM Peak Hour trips whichever comes later.
- However, Riverland has construction well under way from Community Blvd. going South to E/W 3 already.

Source: Institute of Transportation Engineers (ITE), Trip Generation, 10th Edition.

CityofPSL.com



Approved Trip Counts

Age Restricted

Parcel A PM Peak = 309 Trips

Parcel B PM Peak = 230 Trips (Net External)

Parcel C PM Peak = 345 Trips

Parcel D PM Peak = 369 Trips

Total Trips = 1,964 Net External PM Peak Hour Trips

Proposed Parcel B Multifamily PM Peak = 117 Trips (Net External)

Proposed Parcel B Commercial PM Peak = 594 Trips (Net External)

- No additional roadway requirements are triggered at this time.
- DRI requirement for 2 lanes of Community Blvd. from E/W 3 to Paar Drive is not triggered until either 2,000 dwelling unit permits or 2,023 Total Net External PM Peak Hour trips whichever comes last.

Source: Institute of Transportation Engineers (ITE), Trip Generation, 10th Edition.

CityofPSL.com



Other Impacts

Water and Sewer Provider

- Port St. Lucie Utilities Systems will provide water and sewer service.

Environmental Impact

- The property consists of inactive citrus groves and agricultural reservoirs. A clearing permit is required prior to issuance of any development permits.

Other

- Development will be required to comply with all applicable conditions in the Riverland/Kennedy DRI development order.
- A multi-modal path for pedestrians, bicyclists and golf carts will be provided along the southern boundary of the MPUD area.



Recommendation

The Planning and Zoning Department staff finds the request to be consistent with the direction and intent of the future land use map and policies of the City's Comprehensive Plan and recommends approval.

Planning and Zoning Board Action Options:

- Motion to recommend approval to the City Council
- Motion to recommend denial to the City Council



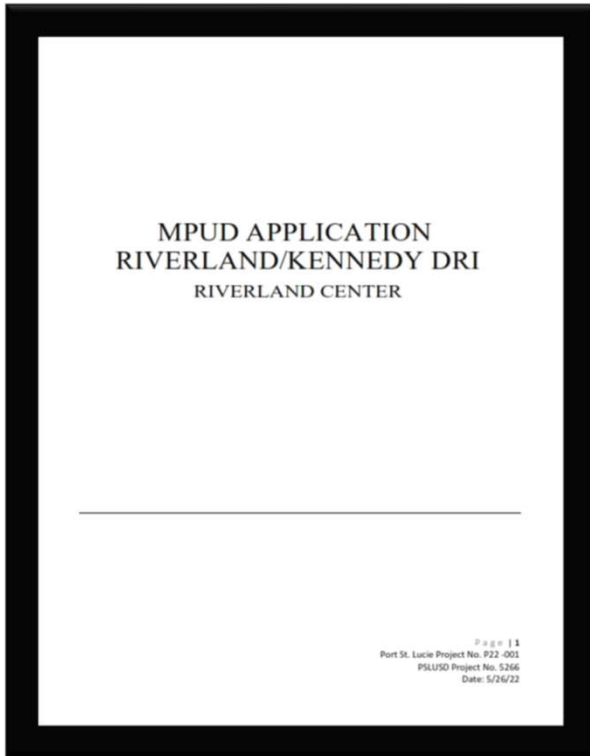
RIVERLAND/KENNEDY DRI RIVERLAND CENTER

MPUD REZONING APPLICATION P22-001



RIVERLAND

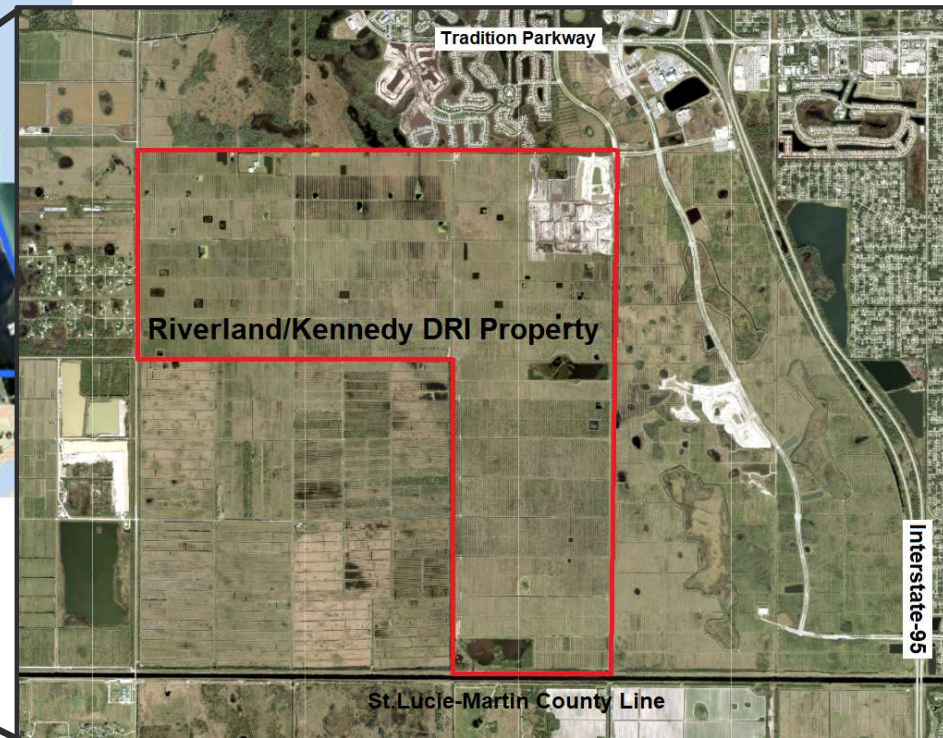
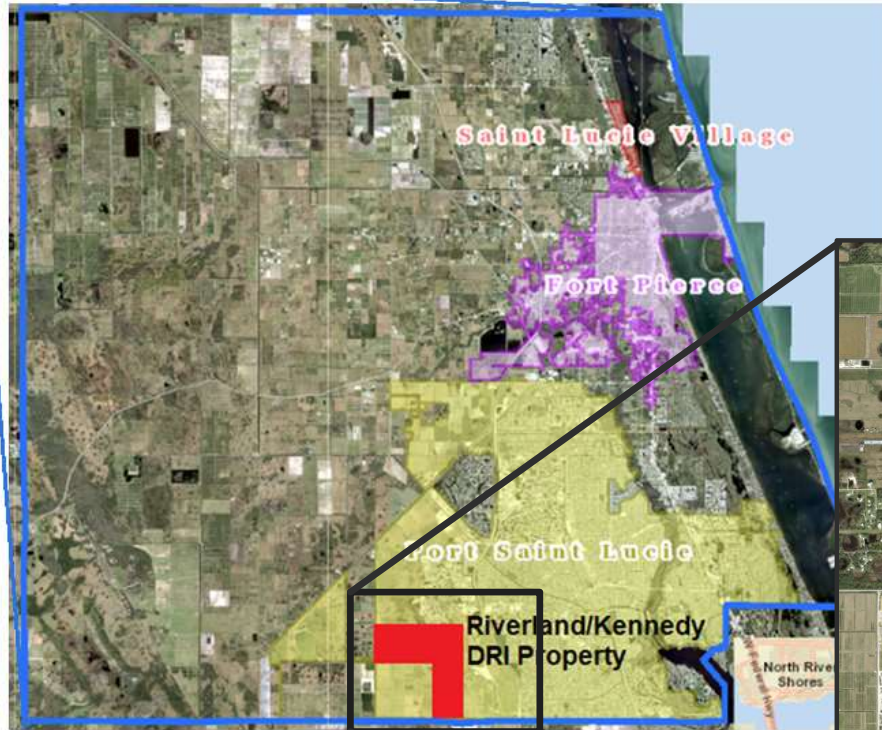
Introduction



- **Our Request**

- **Rezone approximately 35 acres from SLC-AG5 to MPUD**

LOCATION MAPS



Subject property



Riverland Center

RIVERLAND CENTER MPUD

Conceptual Plan and Access

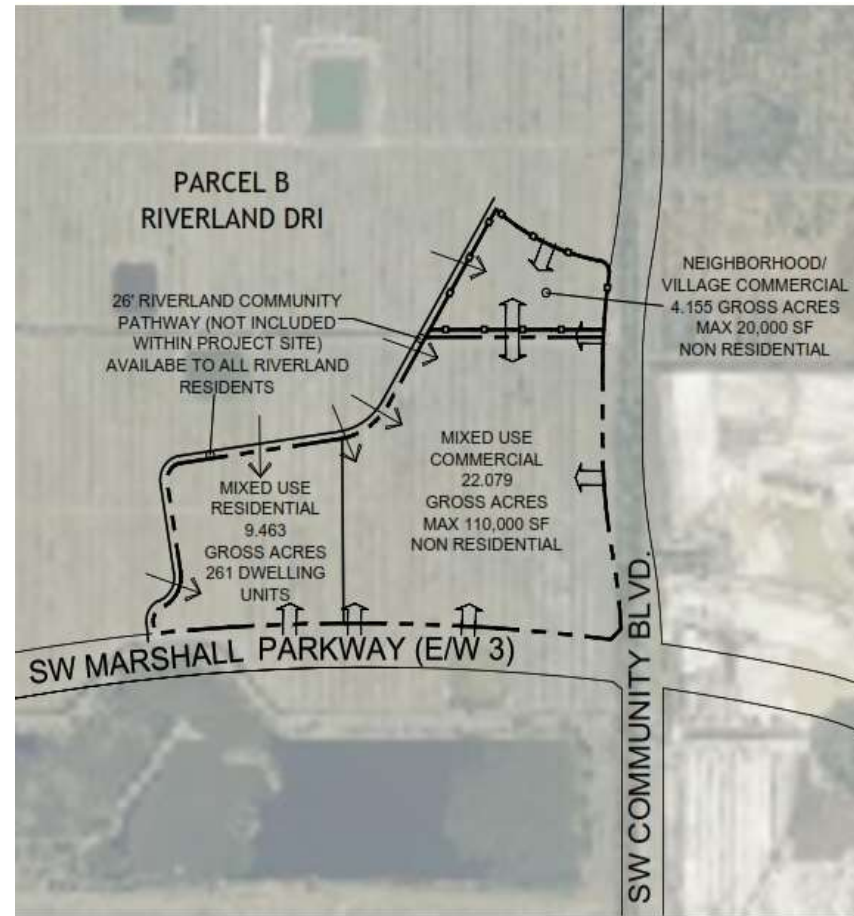
DEVELOPMENT PROGRAM

Mixed Use: 31.542 ac

- Non-residential Uses: 110,000 sf (max)
- Residential: 261 dwelling units (max)

Neighborhood/Village Commercial: 4.155 ac

- Non-residential Uses: 20,000 sf (max)



LEGEND 			EXHIBIT 16 CONCEPTUAL PLAN (P22-001) EXH-16 Page 33
RIVERLAND CENTER Port St. Lucie (PROJECT SITE TOTAL = 35.697 Acres)			

Trip Report for Riverland/Kennedy DRI Riverland Center By Bryan Kelley, P.E. of Simmons & White

- Simmons & White prepared the trip generation analysis (the “Trip Report”) required under Condition 17 of the Riverland/Kennedy DRI Development Order (the “DO”)
- The trip generation calculations are based on the cumulative trips generated by the development of Parcels A-D, and the subject Mixed Use and Neighborhood/Village Commercial development (Riverland Center), and result in 1,762 P.M. peak hour trips
- The trips associated with the proposed Riverland Center and the cumulative trips of the Riverland/Kennedy developments of Parcels A-D do not result in any additional required roadway improvements.
- The Trip Report was prepared in accordance with ITE standards, FDOT Standards, and general traffic engineering practices
- The Trip Report was reviewed and approved by the City’s 3rd party traffic consultant.



Agenda Summary

2022-459

Agenda Date: 7/5/2022

Agenda Item No.: 8.d

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P22-099 St Lucie West Properties, LLC - Variance

Location: 1100 SW ST Lucie West Boulevard

Legal Description: St. Lucie West Plat 15- Commercial Sites Phase 1, Parcel 20

This is a request to grant a variance to allow a secondary monument sign along St. Lucie West Boulevard adjacent to the site's driveway access.

Submitted By: Bianca Lee, Planner I, Department of Planning & Zoning

Executive Summary: The applicant is requesting a variance to allow a secondary monument sign along St. Lucie West Blvd. The proposed location of the secondary sign is adjacent to the site's driveway access along St. Lucie West Blvd. The St. Lucie West Master Sign Program permits the use of two (2) project entry signs for corner lot parcels.

Presentation Information: A presentation will be provided.

Staff Recommendation: Move that the Board review the variance application and vote to approve, approve with conditions, or deny the variance request.

Background: See attached staff report.

Issues/Analysis: See attached staff report.

Special Consideration: N/A

Location of Project: East of Bethany Drive and South of ST Lucie West Blvd.

Attachments: 1. Staff report, 2. Applicant response to variance questions, 3. Proposed sign, 4. SLW Master Sign Program, 5. SLW Commercial Association letter, 6. Warranty Deed, 7. Staff presentation



St Lucie West Properties
Variance: Sign
Project Number: P22-099



Project Aerial Map

SUMMARY

Applicant's Request:	To grant a variance to allow a secondary monument sign along St. Lucie West Blvd. adjacent to the site's driveway access.
Applicant:	Tyson Waters of Fox McCluskey
Property Owner:	St Lucie West Properties, LLC.
Location:	1100 SW ST Lucie West Blvd.
Application Type: (Identify if quasi-judicial)	Variance, Quasi-Judicial
Project Planner:	Bianca Lee

Project Description

The applicant is requesting a variance to allow a secondary monument sign along St. Lucie West Blvd. The proposed location of the secondary sign is adjacent to the site's driveway access along St. Lucie West Blvd. The St. Lucie West Master Sign Program permits the use of two (2) project entry signs for corner lot parcels, and requires the larger sign be placed on the main street frontage; with smaller sign placement occurring on the secondary street frontage. Furthermore, The St. Lucie West Master Sign Program permits multiple use parcels greater than 2 acres an NR 2 sign type with a maximum face size of 64 sf. and an NR 1 sign type at 32 sf. max.

Background

The city has denied all tenants of this building additional façade signage due to the size of the buildings' existing signage.

Review Criteria

An application for a variance is reviewed for consistency with Article XV of the Zoning Code, Sections 158.295 through 158.299. Final action on the application (approval or denial) is in the form of an Order of the Planning and Zoning Board following a quasi-judicial public hearing. A vote of approval by five (5) members of the Planning and Zoning Board is required to grant a variance.

Public Notice Requirements (Section 158.298 (B))

Public notice was mailed to owners within 750 feet and the file was included in the ad for the Planning & Zoning Board's agenda.

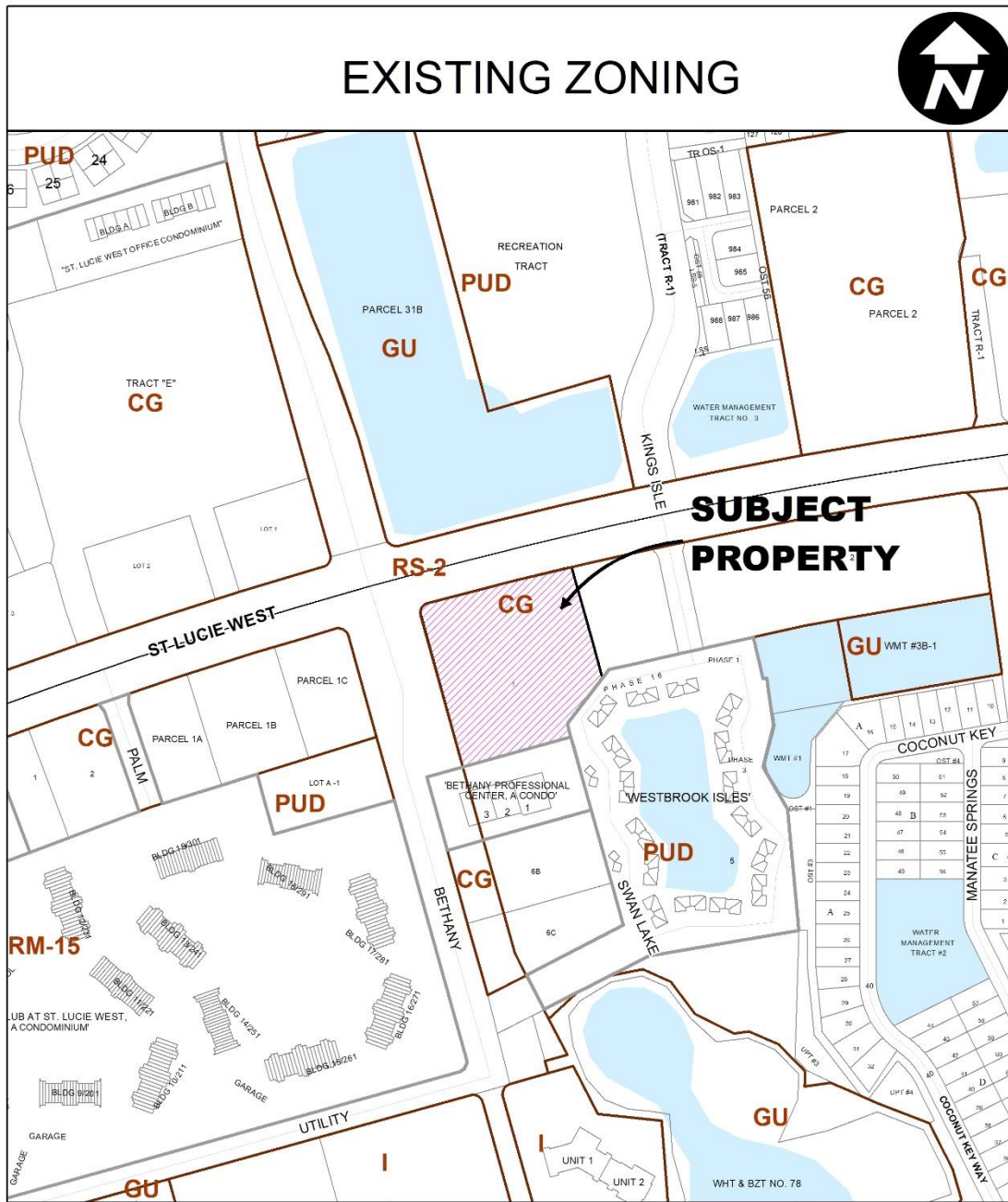
Location and Site Information

Parcel Number:	3323-650-0021-010-4
Property Size:	3.28 AC/ 142,876 SF
Legal Description:	ST LUCIE WEST PLAT 15 COMMERCIALSITES PHASE 1 PARCEL 20 WLY 380 FT OF LOT 1 AS MEAS AT RT ANG TOWLY LI
Address:	1100 SW ST Lucie West Blvd.
Future Land Use:	General Commercial/Institutional
Existing Zoning:	General Commercial
Existing Use:	General Commercial (Bank/Offices)

Surrounding Uses

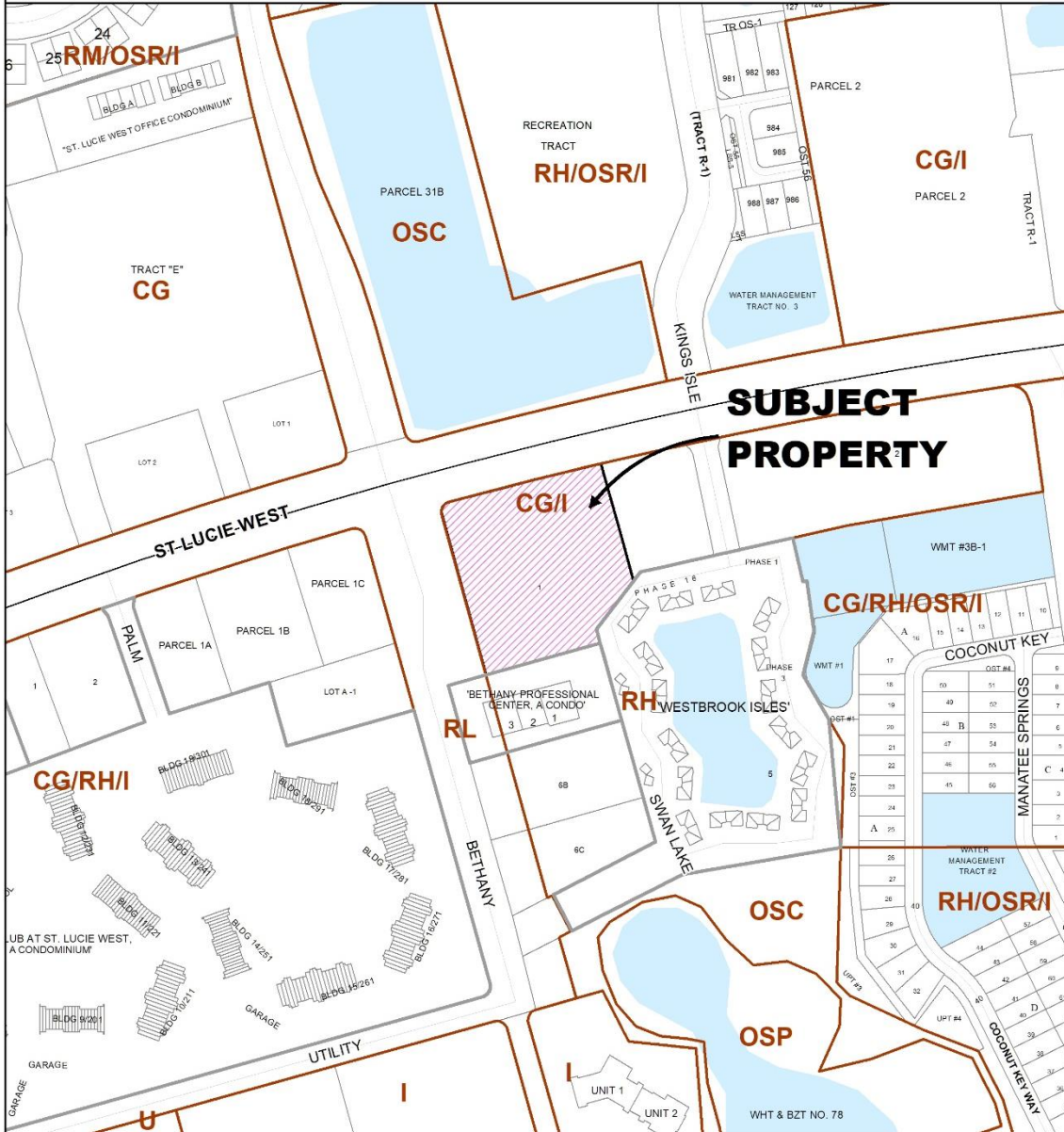
Direction	Future Land Use	Zoning	Existing Use
North	OSC	GU	GU
South	CG/ I	CG	CG
East	CG/ I	CG	CG
West	CG/RH/I	CG	CG

OSC-Open Space-Conservation, I-Institutional, Private & Public
 CG-General Commercial, RH-High Density Residential, and GU-General Use

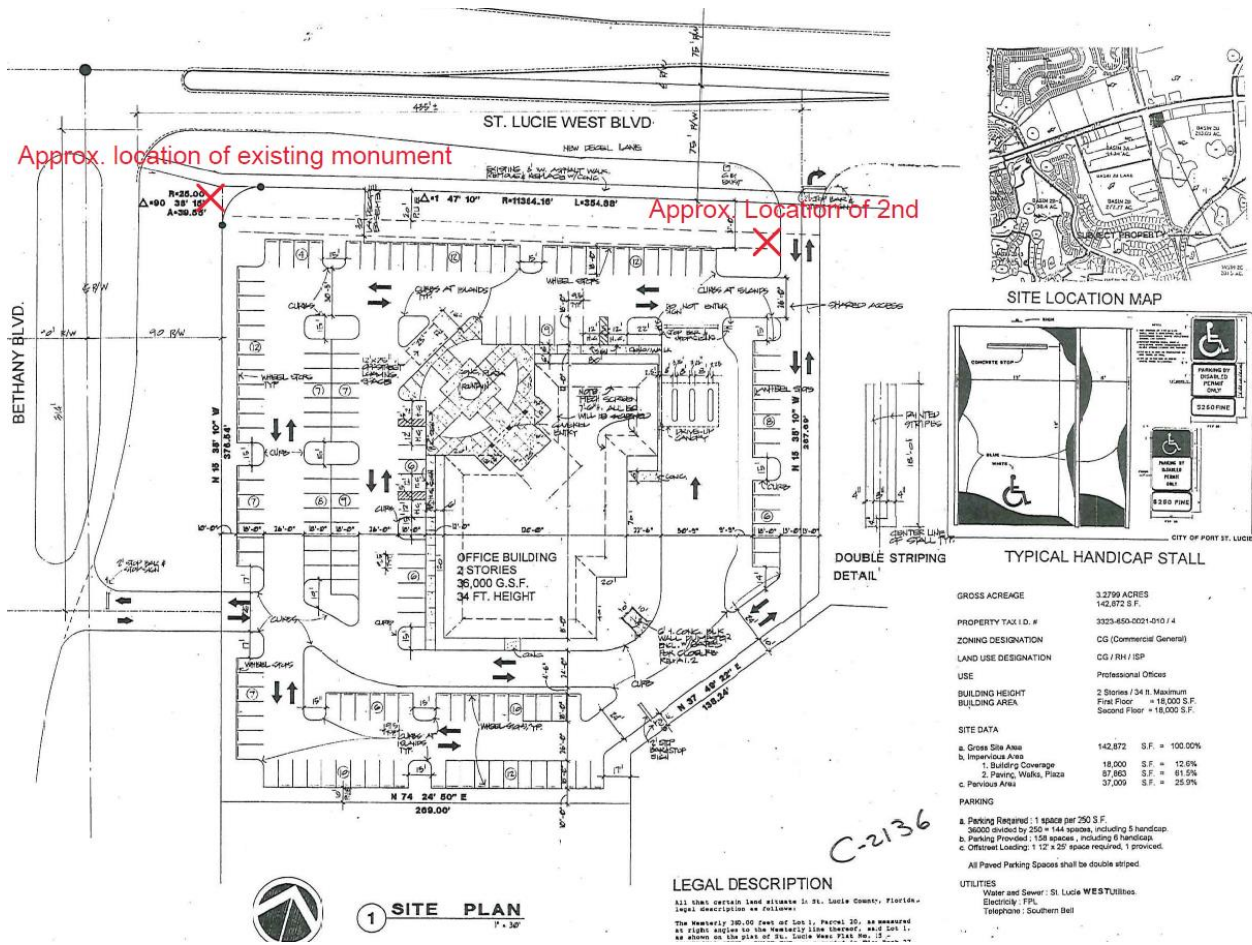


Zoning Map

FUTURE LAND USE



Project Land Use Map



Property of the applicant. The site plan is to be used in accordance with the zoning code and other applicable regulations. It is the responsibility of the applicant to ensure that the site plan complies with all applicable regulations. The applicant warrants that the site plan is true and correct to the best of their knowledge and belief.

REVISION RECORD

PRINT RECORD
FPL 15-MAR-2019

SHEET TITLE

AXTMAN ARCHITECTS

ARCHITECTURE PLANNING INTERIORS

SHEET NUMBER

IMPACTS AND FINDINGS

Section 158.295 (B) of the Zoning Code establishes the duties of the Planning and Zoning Board in authorizing a variance. The Planning and Zoning Board may authorize a variance from the provisions of the Zoning Code as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. Pursuant to Section 158.296, a variance is authorized only for height, area, and size of structure, yard size, building setback, lot size requirements, and other applicable development regulations, excluding use. To authorize a variance, the Planning and Zoning Board should consider the criteria listed under Section 158.295 (B) (1) through (7) of the Zoning Code. The applicant's response to this criterion is attached to the application. Staff's review is provided below:

Compatibility with variance criteria Section 158:295 (B).

- 1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

- *Staff Findings: Special conditions and circumstances do not exist, which are peculiar to the land, structure, or building involved. The St. Lucie West Master Sign Program permits the use of two (2) project entry signs for corner lot parcels, and requires the larger sign be placed on the main street frontage; with smaller sign placement occurring on the secondary street frontage.*
- 2) That the special conditions and circumstances do not result from any action of the applicant.
 - *Staff Findings: See No. 1 above.*
 - 3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district.
 - *Staff Findings: Special privileges would be conferred upon the applicant; the monument sign is proposed along St. Lucie West Blvd. on the same street frontage as the existing monument sign. The panel will advertise a single tenants name. The existing monument sign can be utilized to reflect the business name as opposed to building a new monument sign along an access way.*
 - 4) That literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant.
 - *Staff Findings: Literal interpretation of the provisions of the chapter would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district or introduce unnecessary and undue hardships on the applicant. The St. Lucie West Master Sign Program follows City Code and allows one monument sign per street frontage. The MSP codifies the use of a larger sign always being placed on the main street frontage and smaller sign placement on the secondary street frontage. Businesses in the area have observed the regulations set forth in the Master Sign Program.*
 - 5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 - *Staff Findings: The proposed monument sign can be constructed along Bethany Drive, which will allow one sign per street frontage as stipulated by the SLW Master Sign Program. The sign location currently proposed is along the site's driveway access which is within the 30 ft. landscape easement. The St. Lucie West Master Sign Program currently permits two project entry signs per corner lot parcel. One sign per street frontage.*
 - 6) That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
 - *Staff Findings: See No. 5 above.*
 - 7) That there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.
 - *Staff Findings: The applicant has acknowledged this.*

PLANNING AND ZONING BOARD ACTION OPTIONS

The Board may choose to approve, deny, or table the proposed variance. If the Board finds that the variance application is consistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code (listed above), then the Board may:

- Motion to approve
- Motion to approve with conditions

If the Board finds that the variance application is inconsistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code, then the Board may:

- Motion to deny

Should the Board need further clarification or information from either the applicant and/or staff, the Board may:

- Motion to table or continue the hearing or review to a future meeting

(NOTE TO APPLICANTS: Any request for a variance that is denied by the Planning and Zoning Board may be appealed to the Board of Zoning Appeals. Appeal applications are made through the City Clerk's office and must be submitted within 15 days after the Planning and Zoning Board hearing).

VARIANCE APPLICATION

CITY OF PORT ST. LUCIE
Planning & Zoning Department
121 SW Port St. Lucie Blvd.
Port St. Lucie, Florida 34984
(772)871-5213

FOR OFFICE USE ONLY

Planning Dept _____
Fee (Nonrefundable) \$ _____
Receipt # _____

Refer to "Fee Schedule" for application fee. Make check payable to the "City of Port St. Lucie. Fee is nonrefundable unless application is withdrawn prior to advertising for the Planning and Zoning Board meeting. **Attach two copies of proof of ownership (e.g.: warranty deed, affidavit), a copy of recent survey and a statement addressing each of the attached criteria.**

PRIMARY CONTACT EMAIL ADDRESS: twaters@foxmcccluskey.com

PROPERTY OWNER:

Name: St. Lucie West Properties, LLC
Address: 1600 S. Brentwood Blvd, Suite 770, St. Louis, MO 63144
Telephone No. _____

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

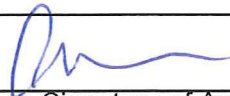
Name: Law Offices of Craig Goldenfarb, P.A.
Address: 1800 S. Australian Avenue, Suite 400, West Palm Beach, FL 33409
Telephone No. _____ Email _____

SUBJECT PROPERTY:

Legal Description: See Attached.
Parcel I.D. Number: 3323-650-0021-010-4
Address: 1100 SW St. Lucie West Blvd., Port St. Lucie, Florida
Current Zoning Classification General Commercial

Description of requested variance and applicable conditions/circumstances justifying request (continue on separate sheet, if necessary): Provide documentation that the attached variance criteria have been met.

See attached.


Signature of Applicant

Craig Goldenfarb, Esq
Hand Print Name

1/26/22
Date

NOTE: Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted. 03/02/20

VARIANCES

§ 158.295 PLANNING AND ZONING BOARD OR ZONING ADMINISTRATOR (DIRECTOR OF PLANNING AND ZONING) TO HEAR VARIANCES; POWERS AND DUTIES OF BOARD AND ZONING ADMINISTRATOR

(C) Duties of the Zoning Administrator and Planning and Zoning Board in authorizing a variance. The Planning and Zoning Board and Zoning Administrator may authorize the variance from the provisions of this chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Planning and Zoning Board or Zoning Administrator should consider:

- (1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;
- (2) That the special conditions and circumstances do not result from any action of the applicant;
- (3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district;
- (4) That literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;
- (5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;
- (6) That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;
- (7) That there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

VARIANCES

The Planning and Zoning Board and Zoning Administrator may authorize the variance from the provisions of this chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Planning and Zoning Board or Zoning Administrator will consider the variance criteria in **§ 158.295 (C) 1-7** and consider your responses to the following when making a determination.

(1) Please explain special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

See Attached.

(2) Please explain if these conditions and circumstances result from actions by the applicant;

See Attached.

(3) Please explain how granting the variance requested will not confer on the applicant special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district;

See Attached.

(4) Please explain how a literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;

See Attached.

(5) Please illustrate and explain if the variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structure;

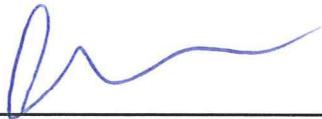
See Attached.

(6) Please indicate how granting variance will be in harmony with the general intent and purpose of the chapter and that granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;

See Attached.

(7) Please indicate that there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

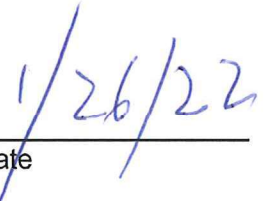
See Attached.



Signature of Applicant



Hand Print Name



Date

VARIANCE JUSTIFICATION

1. Please explain special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

Response: Special conditions and circumstances exist which are peculiar to the land and building that are not applicable to other lands and buildings in the same zoning district. The subject property is located on the corner of St. Lucie West Boulevard and Bethany Drive. Section 155.08(H) of the City of Port St. Lucie Land Development Code appears to allow "one additional sign" on each street with frontage since the property is over three (3) acres in size. However, because this parcel is located and governed, in part, by the St. Lucie West Master Sign Program, the subject property is not treated as similar parcels in the same zoning district are treated. Instead, the Master Sign Program only allows one sign on St. Lucie West Boulevard and one sign on Bethany Drive. A sign currently exists at the intersection of St. Lucie West Boulevard and Bethany Drive, however the St. Lucie West Boulevard entrance is approximately 350 feet away from such signage. The location of the existing monument sign creates a hardship for this parcel that was not created by the Applicant, however affects the applicant's ability to adequately promote its business given how far away from the actual entrance the sign is located.

The St. Lucie West Commercial Association supports the variance requests.

2. Please explain if these conditions and circumstances result from actions by the applicant.

Response: The conditions and circumstances do not result from the actions of the Applicant. The hardship, which includes the location of the existing signage and requirements set forth in the St. Lucie West Master Sign Program, predates the Applicant's interest in the subject property. Approving the variance would be consistent with City of Port St. Lucie Land Development Code and is supported by the St. Lucie West Commercial Association.

3. Please explain how granting the variance requested will not confer on the applicant special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district.

Response: The granting of the variance request will not confer on the Applicant any special privilege that is denied by the City of Port St. Lucie Land Development Code to other lands, buildings or structures in the same zoning district. In fact, it would appear that other parcels of a similar size as the subject property would be permitted to have the requested signage. As previously provided, Section 155.08(H) of the City of Port St. Lucie Land Development Code allows "one additional sign" on each street with frontage since the property is over three (3) acres in size. It is only because of the St. Lucie West Master Sign Program that an issue exists as to whether or not the requested sign is allowed. The St. Lucie West Commercial Association is in favor of the variance request and has provided a letter of support.

4. Please explain how a literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant.

Response: The literal interpretation of the provisions of this chapter, and the St. Lucie West Master Sign Program, would deprive the Applicant rights commonly enjoyed by other properties in the same zoning district due to the size of the property and the distance between the proposed location of the additional sign, and entrance to the property off St. Lucie West Boulevard, and the existing signage at the intersection of St. Lucie West Boulevard and Bethany Drive. The inability to locate a small monument sign at the easterly entrance to the property off St. Lucie West Boulevard creates an unnecessary hardship on the Applicant and parcel as a whole. The St. Lucie West Commercial Association supports the variance request and allowing the proposed monument sign will allow signage consistent with the intent of the Land Development Code and allow for the enjoyment of rights that are commonly enjoyed by other property owners with similar properties within the City of Port St. Lucie.

5. Please illustrate and explain if the variance requested is the minimum variance that will make possible thereasonable use of the land, building, or structure.

Response: The variance is the minimum variance that will make possible the reasonable use of the building, as it is a multi-use building (i.e., has multiple tenants) and the proposed sign location is approximately 350 feet away from the existing monument sign located at the intersection of St. Lucie West Boulevard and Bethany Drive. The proposed signage size is consistent with the size requirements for a secondary sign as set forth in the St. Lucie West Master Sign Program.

6. Please indicate how granting variance will be in harmony with the general intent and purpose of the chapter and that granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Response: The general intent and purpose of the chapter is to allow for the reasonable use of signage in order to promote businesses occupying property. The proposed monument sign is of a size consistent with the requirements of City of Port St. Lucie Land Development Code and the St. Lucie West Master Sign Program and would be located approximately 350 feet away from the existing monument sign located at the intersection of St. Lucie West Boulevard and Bethany Drive. Allowing the additional sign as and where proposed would be consistent with the character of St. Lucie West. The proposed signage is supported by the St. Lucie West Commercial Association and is consistent with the general intent and purpose of the City of Port St. Lucie Land Development Code. Approving the variance will not be injurious to the area, nor otherwise detrimental to the public welfare.

7. Please indicate that there will be full compliance with any additional conditions and

safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

Response: The proposed monument sign will comply with all other requirements and provisions of the City of Port St. Lucie Land Development Code and provisions of the St. Lucie West Master Sign Program. The Applicant, upon approval, intends to immediately apply for all necessary permits to construct the sign and complete the installation of the proposed sign as soon as possible.



SIGN
CONNECTION
OF THE TREASURE COAST, INC.

Phone: 772-335-2441 Fax: 772-337-0806

At Sign Connection we take pride in precision, but the final examination for accuracy is your responsibility. Before giving approval, please examine all proofs carefully for the accuracy of information presented, as well as spelling and punctuation.

Our normal production cycle will begin from the date approval and deposit is received.

Non-Residential Projects

Allowable Sign types

I. Project Entry Sign

Use: Project identification (1 allowed per parcel, (2) allowed per corner parcel based on criteria and examples on page 36, Project Entry Sign Example (Corner lot parcels))

Location: At major entry of project (in project's median or adjacent to road, but not in public ROW)

Maximum Sign face Allocation: *(Non-corner parcels only)*

<u>Parcel Size:</u>	<u>Sign Type/ Sign Face Size:</u>
For single use parcels less than 2 acres	(1) NR 1/ 32 s.f.
For single use parcels greater than 2 acres but less than 15 acres/ 100,000 sf	(1) NR 1/ 32 s.f.
For single use parcels greater than 15 acres/ 100,000 sf	(1) NR 1/ 32 s.f.
For multiple use parcels less than 2 acres	(1) NR 1/ 32 s.f.
For multiple use parcels greater than 2 acres but less than 15 acres/ 100,000 sf	(1) NR 2/ 64 s.f.
For multiple use parcels greater than 15 acres/ 100,000 sf	(1) NR 3/ 100 s.f.

II. Sign for Parcels within the Project

Use: Parcel identification

Location: At major entry of parcels within project (in project's median or adjacent to road)

Maximum sign face: 32 sf

III. Directional Sign within the Project

Use: Guides vehicles & pedestrians within the project

Location: Adjacent to roadway, but not in public ROW

Maximum sign face: 10 sf

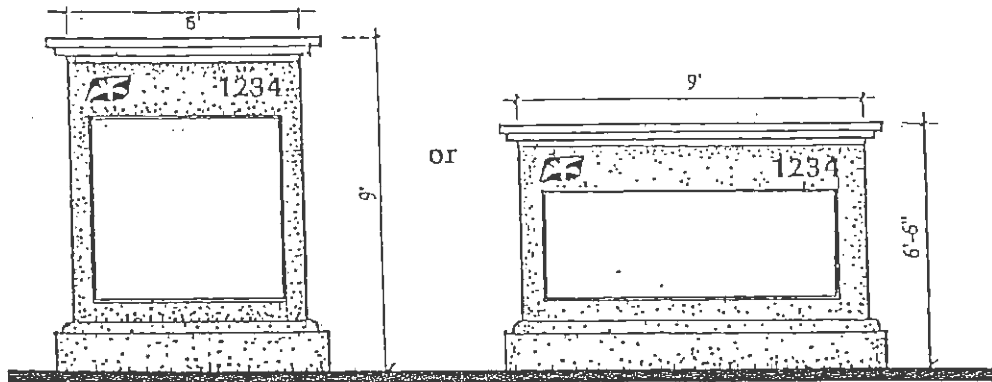
IV. Building Mounted (façade) Sign

Use: Identifies building, tenant, etc.

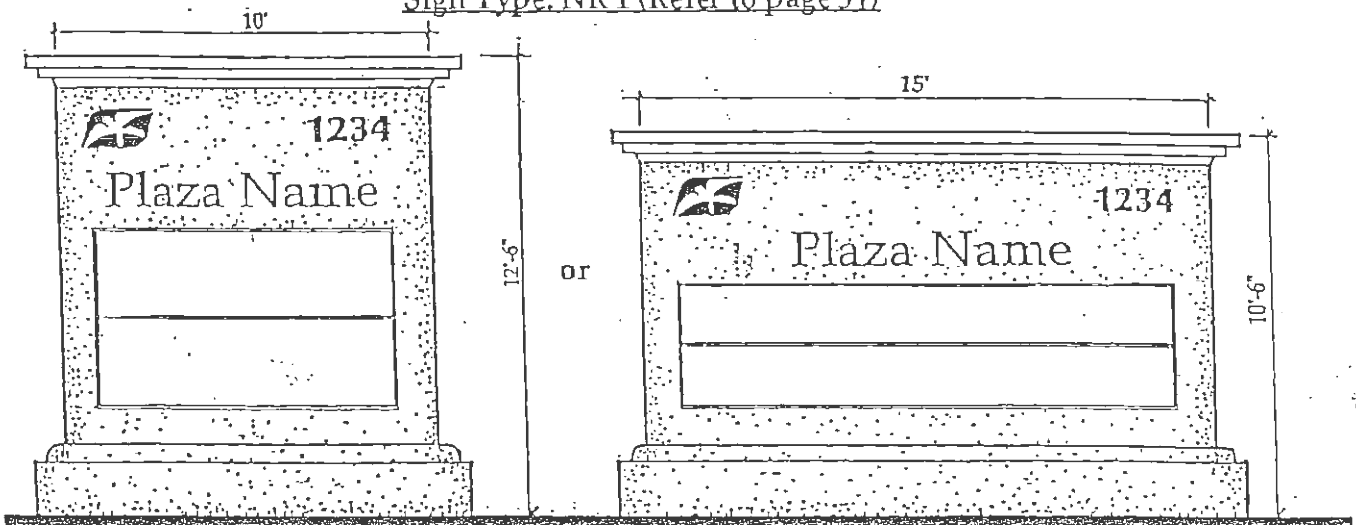
Location: Attached to building, near main entry

Maximum sign face: 32 sf plus 1.5 sf for each linear foot of business front over 20 feet, not to exceed 200 sf. Coordinate all façade signs in terms of letter style, color and materials. At the discretion of the NCC, building façade signs may be altered, limited or rejected based on the sign proposal submitted by each tenant.

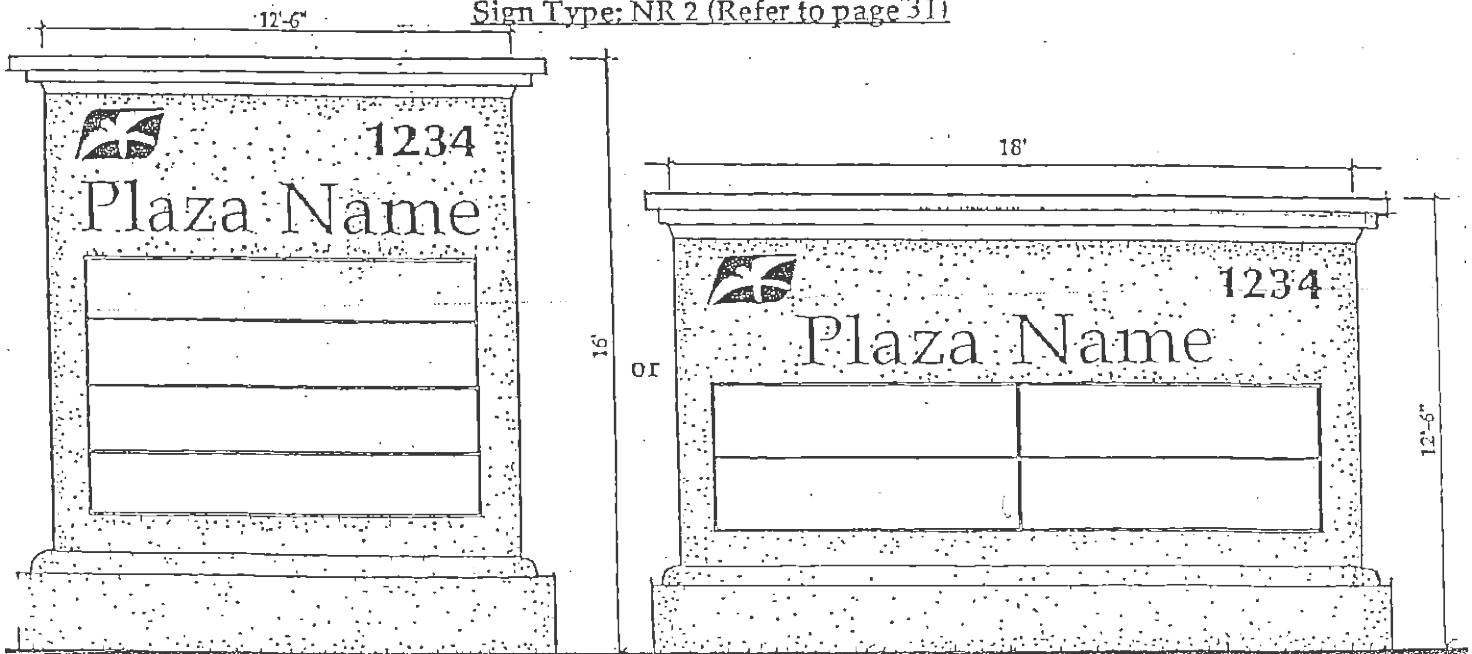
Non-Residential Project Entry Sign



Sign Type: NR 1 (Refer to page 31)



Sign Type: NR 2 (Refer to page 31)



Sign Type: NR 3 (Refer to page 31)

Project Entry Sign Example (Corner Lot Parcels Only)

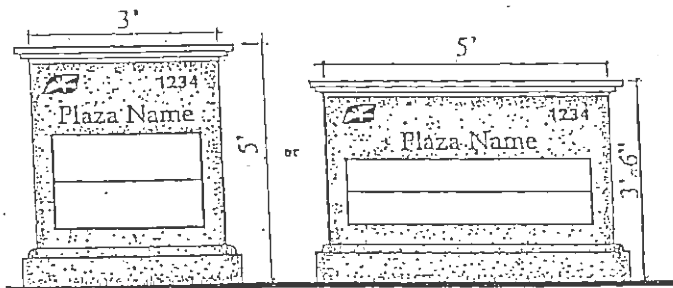
Use: Project identification for corner lot parcels

Location: At major entry of project (in project's median or adjacent to road, but not in public ROW)

Maximum Sign face Allocation: *(Corner parcels only)*

Parcel Size:	Sign Type/ Sign Face Size:
For single use parcels less than 2 acres	(1) NR 1, 32 s.f./ (1) NR 4, 16 s.f.
For single use parcels greater than 2 acres but less than 15 acres/ 100,000 sf	(1) NR 1, 32 s.f./ (1) NR 4, 16 s.f.
For single use parcels greater than 15 acres/ 100,000 sf	(1) NR 1, 32 s.f./ (1) NR 4, 16s.f.
For multiple use parcels less than 2 acres	(1) NR 1, 32 s.f./ (1) NR 4, 16s.f.
For multiple use parcels greater than 2 acres but less than 15 acres/ 100,000 sf	(1) NR 2, 64 s.f./ (1) NR1, 32s.f.
For multiple use parcels greater than 15 acres/ 100,000 sf	(1) NR 3, 100 s.f./ (1) NR 2, 64s.f.

NOTE: Larger sign will always occur on main street frontage with smaller sign placement on secondary street frontage.



Sign Type: NR 4



ST. LUCIE WEST COMMERCIAL ASSOCIATION, INC.

C/O FirstService Residential
543 NW Lake Whitney Place # 101, Port St. Lucie, FL 34986
Office: (772) 323-2004 Fax: (772) 878-1519
E-Mail: info@slwca.com

January 11, 2022

Fox McCluskey
Attn: Tyson J. Waters
3461 SE Willoughby Boulevard
Stuart, Florida 34994

RE: 1100 SW St. Lucie West Blvd. – Monument variance support

Dear Tyson J. Waters,

The Architectural Review Committee has reviewed your variance request emailed on 12-13-2021 to place the secondary monument the corner parcel is entitled to near the entrance of the plaza on St. Lucie West Blvd and approves it as submitted.

Here are some of the things the committee considered in arriving at their decision:

- 1) Tenants are not permitted to put up building signage as per advisement from the City.
- 2) There are more tenants than the existing monument can accommodate while still providing legible exposure to vehicular traffic.
- 3) SW Bethany is not a through street and has very limited traffic with only a small # of businesses being located down the road.
- 4) The property was developed and existing monument sign constructed based on the Community Development Code & Land Use Standard which was adopted in 1991 and updated in 1995, does not specify that a monument need to be placed near an entry way, and did not allow for a corner parcel to have 2 monument signs. This code only required a monument to be placed perpendicular to a street. This was prior to the adoption of The Master Sign Program in 2000.

The committee strongly feels that if the City is not going to permit tenants to put up building signage they should allow the secondary monument to be placed at the entry way on St. Lucie West Blvd. so that the tenants in this building may be provided similar exposure to vehicular traffic.

Should you have any questions regarding this matter do not hesitate to contact me.

Sincerely,

Tiffany Jackson

Tiffany Jackson
For and on behalf of the St. Lucie West Commercial Architectural Review Committee

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
File Number: 2064647 OR BOOK 1551 PAGE 2386
Recorded: 07/11/02 11:37

* Doc Assump: \$ 0.00
* Doc Tax : \$ 31,850.00
* Int Tax : \$ 0.00

Return to: mail

This document prepared by:
Karen Flynn
Universal Land Title, Inc.
1555 Palm Beach Lakes Boulevard
Suite 100
West Palm Beach, FL 33401
02060827
Property Tax ID # 3323-650-0021-010/4

WARRANTY DEED

This Warranty Deed is made and executed the 3rd day of July, 2002, by TOWN SQUARE DEVELOPMENT GROUP, INC., a corporation existing under the laws of the State of Florida and having its principal place of business at 1100 St. Lucie West Blvd, Port St. Lucie, FL 34986 to ST. LUCIE WEST PROPERTIES, LLC, whose Post Office address is 1555 St. Lucie West Blvd. #203 Port St. Lucie, FL ("Grantee"): ** A Florida limited liability company 34986

(The terms "Grantor" and "Grantee" include all the parties to this instrument and their respective successors and assigns.)

Grantor, in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt of which is hereby acknowledged, hereby grants, bargains, sells and conveys to the Grantee that certain land in St. Lucie County, Florida, more particularly described as follows:

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

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND Grantor hereby covenants with Grantee that it is lawfully seized of the land in fee simple; that it has good right and lawful authority to sell and convey the land; that it hereby specially warrants the title to the land and will defend against claims of all persons whomsoever claiming by, through or under Grantor, but not otherwise, except for taxes and assessments for the year 2001 and subsequent years, and easements, covenants and restrictions of record.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed in its name, and its corporate seal to be affixed by its proper officers as of the day and year first above written.

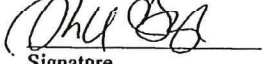
OR BOOK 1551 PAGE 2387

Executed in the presence of:



Signature
R.A. Flynn

Printed Name



Signature
Michael J. Gaumer

Printed Name

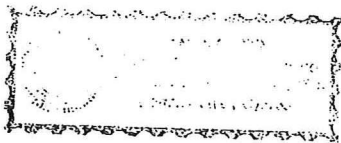
TOWN SQUARE DEVELOPMENT, INC.
A Florida Corporation

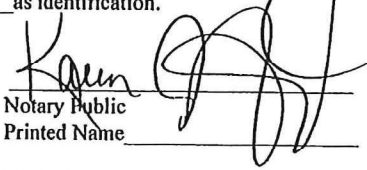
By: Thomas R. Jones

(CORPORATE SEAL)

STATE OF Florida
COUNTY OF St. Lucie

The foregoing instrument was acknowledged before me this 3rd day of _____, 2002,
by Thomas R. Jones, as _____ President of TOWN SQUARE
DEVELOPMENT, INC. A Florida corporation, on behalf of the corporation. He is personally know to
me or has produced drivers license as identification.





Notary Public
Printed Name _____

(SEAL)

Exhibit "A"

Parcel 1:

The Westerly 380.00 feet of Lot 1, Parcel 20, as measured at right angles to the Westerly line thereof, said Lot 1, as shown on the plat of ST. LUCIE WEST PLAT NO. 15 - COMMERCIAL SITES - PHASE ONE, as recorded in Plat Book 27, pages 22, 22A through 22F, Public Records of St. Lucie County, Florida, the Westerly line of said Lot 1 being the Easterly right-of-way line of S.W. Bethany Drive, as shown on said plat of St. Lucie West Plat No. 15 - Commercial Sites - Phase One.

Easement Parcel:

Easement for the benefit of Parcel 1 as created by Cross Access Easement dated July 11, 1994 and recorded on July 15, 1994 in Official Records Book 910, page 2049, Public Records of St. Lucie County, Florida, for ingress and egress over, under and across the land described as follows:

The Easterly 15.00 feet of the Westerly 395.00 feet of Lot 1, Parcel 20, as measured at right angles to the Westerly line thereof, said Lot 1, as shown on the plat of St. Lucie West Plat No. 15 - Commercial Sites - Phase One, as recorded in Plat Book 27, pages 22, 22A through 22F, Public Records of St. Lucie County, Florida, the Westerly line of said Lot 1 being the Easterly right-of-way line of S.W. Bethany Drive, as shown on said plat of St. Lucie West Plat No. 15 - Commercial Sites - Phase One.

OR BOOK 1551 PAGE 2388

CERTIFICATE OF OWNERSHIP

Based upon a search of the public records available on the St. Lucie County Clerk of Court's website as of the date provided below, the undersigned certifies that the property legally described on Exhibit "A" attached hereto and made a part hereof is owned by St. Lucie West Properties LLC, and there have been no transfers of the subject property since that certain deed from Town Square Development Group, Inc., dated July 2, 2002, and recorded on July 11, 2002, in Official Records Book 1551, Page 2386, of the Public Records of St. Lucie County, Florida.

DATED this 4th day of March, 2022.

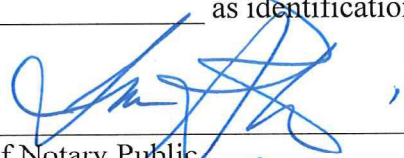


Tyson Waters, Esq.
Attorney for Applicant

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me by means of physical presence or [] online notarization, this 4th day of MARCH, 2022, by Tyson Waters, who is personally known to me or has produced _____ as identification.

[SEAL]



Signature of Notary Public

CHRISTINA M. PRIETO

Print, type or stamp commissioned

Name of Notary Public

My Commission expires:



Christina M. Prieto
Notary Public
State of Florida
Comm# HH062710
Expires 11/11/2024

Exhibit "A"
Legal Description

The Westerly 380.00 feet of Lot 1, Parcel 20, as measured at right angles to the Westerly line thereof, said Lot 1, as shown on the plat of ST. LUCIE WEST PLAT NO. 15 – COMMERCIAL SITES – PHASE ONE, as recorded in Plat Book 27, Pages 22, 22A through 22F, Public Records of St. Lucie County, Florida, the Westerly line of said Lot 1 being the Easterly right-of-way line of S.W. Bethany Drive, as shown on said plat of St. Lucie West Plat No. 15 – Commercial Sites – Phase One.

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St Lucie West Properties
1100 SW ST Lucie West Blvd.
VARIANCE
Project: P22-099

Planning and Zoning Board Meeting
Bianca Lee, Planner I
July 5, 2022, Meeting



PROJECT SUMMARY

- A variance to the St. Lucie West Master Sign Program
- The proposed location of the secondary monument sign is adjacent to the site's driveway access along St. Lucie West Blvd.



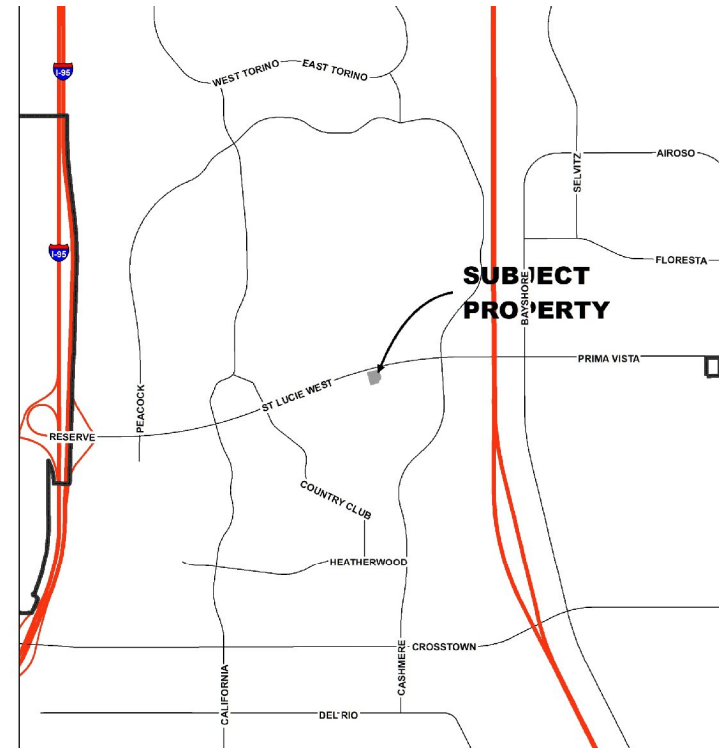
APPLICANT AND OWNER

- Tyson Waters of Fox McCluskey is acting as the agent for the property owner, St Lucie West Properties, LLC.



LOCATION

- The property is located South of St. Lucie West Blvd. and East of Bethany Drive



AERIAL MAP



VARIANCE REQUEST

- A variance to allow a secondary monument sign along St. Lucie West Blvd.
- The St. Lucie West Master Sign Program permits the use of two (2) project entry signs for corner lot parcels, and requires the larger sign be placed on the main street frontage; with smaller sign placement occurring on the secondary street frontage.



Proposal



Monument Sign

Proposed Location



Monument Sign

Site Signage- Monument 1



Background- Facade Site Signage



QUESTIONS OR COMMENTS?

PLANNING AND ZONING BOARD ACTION OPTIONS:

- Make a motion to approve
- Make a motion to approve with conditions
- Make a motion to deny
- Make a motion to table





Agenda Summary

2022-545

Agenda Date: 7/5/2022

Agenda Item No.: 8.e

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P22-178 Up On Top Volleyball - Variance

Location: SE corner of NW East Torino Parkway and NW Rabbit Run.

Legal Description: Winterlakes Tract F Replat, Tract F1.

This request is to grant a variance to the Citywide Design Standards to eliminate the requirement that buildings with flat roofs have peaked or pitched roof elements along 25% of the front and sides.

Submitted By: Holly F. Price, Senior Planner

Executive Summary: This application is requesting approval of a variance to the Citywide Design Standards, Section 5.4.1.1, which requires for buildings with flat roofs, peaked or pitched roof elements shall extend at least 25% of the length of the front and two sides of a building located on a property having a General Commercial (CG) future land use designation. The applicant is requesting a variance to eliminate the requirement to have peaked or pitched roof elements on the building. The property is proposed to be developed as a private sports facility to play volleyball. The Up On Top Volleyball Site Plan (P22-107) is currently under review.

Presentation Information: Staff will provide a presentation.

Staff Recommendation: Move that the Board review the application and vote to approve, approve with conditions, or deny the variance request.

Background: See attached staff report.

Issues/Analysis: See attached staff report.

Special Consideration: See attached staff report.

Location of Project: SE corner of NW East Torino Parkway and NW Rabbit Run.

Attachments:

1. Staff Report
2. Applicant Response to Questions
3. Proposed Elevation Renderings
4. Proposed Floor Plan & Elevations

5. Proposed Site Plan
6. Application & Deed
7. Staff Presentation

Legal: #8557



**Up On Top Volleyball
 Variance
 P22-178**



Exhibit 1. Aerial Map

SUMMARY

Applicant's Request:	To grant a variance to the Citywide Design Standards to <u>not</u> require that buildings with flat roofs have peaked or pitched roof elements along 25% of the front and sides.
Application Type:	Variance, Quasi-Judicial
Applicant:	Brad Currie, Engineering, Design & Construction (EDC)
Property Owner:	Kodak Partners
Address:	TBD
Location:	SE corner of NW East Torino Parkway and NW Rabbit Run
Project Planner:	Holly F. Price, AICP, Senior Planner

Project Description

This application is requesting approval of a variance to the Citywide Design Standards, Section 5.4.1.1, which requires for buildings with flat roofs, peaked or pitched roof elements shall extend at least 25% of the length of the front and two sides of a building located on a property having a General Commercial (CG) future land use designation. The applicant is requesting a variance to not be required to have peaked or pitched roof elements on the building. The property is proposed to be developed as a sports facility for volleyball: Up On Top Volleyball Site Plan (P22-107) currently under review.



Exhibit 2. Rendering along Torino Parkway and Rabbit Run – NW.



Exhibit 2. Rendering along Torino Parkway - SW.



Exhibit 4. Rendering - Front Entrance – NW.

For more elevation renderings, see attachments in Legistar report.

For comparison, below is an example of a building with peaked and pitched roof elements. The roof for the colonnade is a pitched roof element (slopes forward). Over the main entrance is a peaked roof element. Other features include towers with sloped roofs. The peaked and pitched roof elements typically give a building a more traditional appearance. The Citywide Design Standards promotes a Traditional Florida Vernacular style.



Exhibit 5. Bass Pro Shop - Building with Peaked and Pitched Roof Elements.

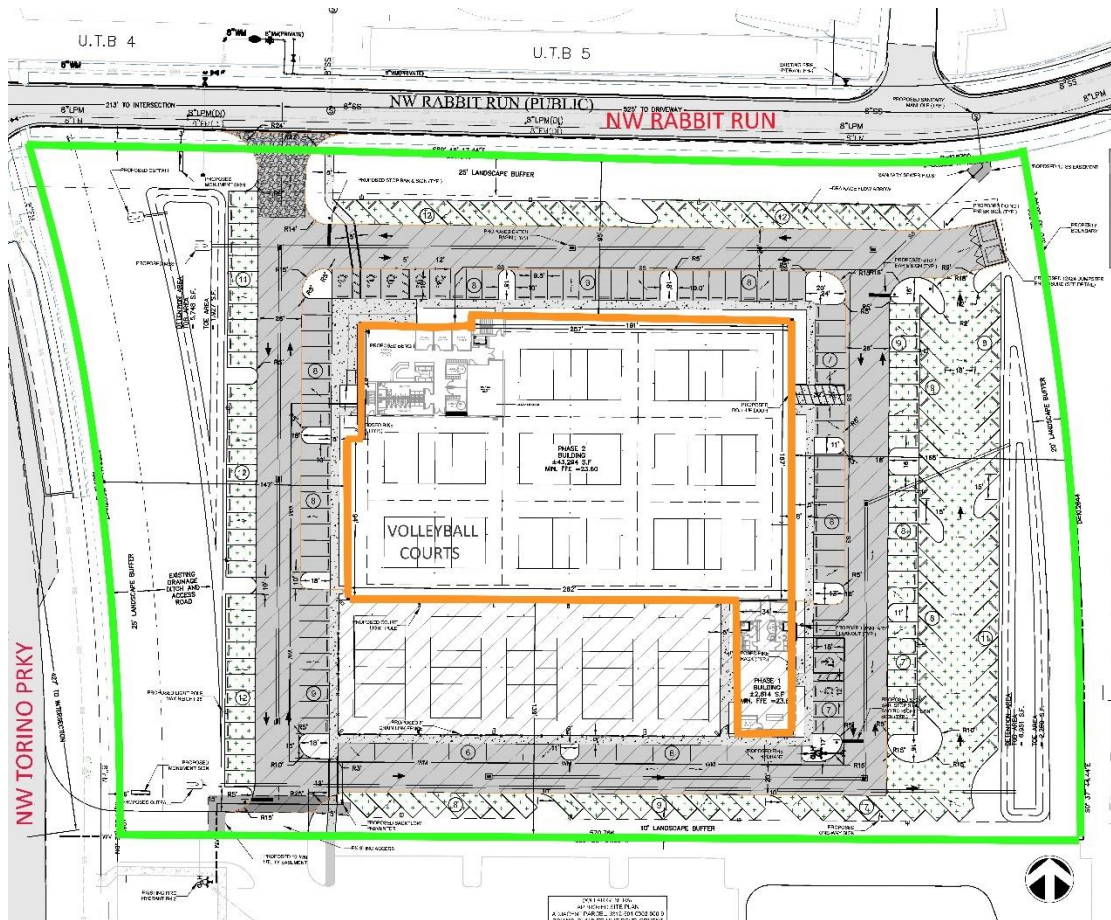


Exhibit 6: Site Plan

Review Criteria

An application for a variance is reviewed for consistency with Article XV of the Zoning Code, Sections 158.295 through 158.299. Final action on the application (approval or denial) is in the form of an Order of the Planning and Zoning Board following a quasi-judicial public hearing. A vote of approval by five (5) members of the Planning and Zoning Board is required to grant a variance.

Public Notice Requirements

Public notice was mailed to owners within 750 feet and the file was included in the ad for the Planning & Zoning Board’s agenda.

Location and Site Information

Parcel Number:	3312-501-0001-000-2
Property Size:	5.35 acres
Legal Description:	Winterlakes Tract F Replat, TRACT F1
Future Land Use:	CG (General Commercial)
Existing Zoning:	PUD (Planned Unit Development)
Existing Use:	Vacant

Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	RM	PUD	Multifamily
South	CG	PUD	Vacant, Commercial
East	RM	PUD	Multifamily
West	RL	RS-2	Houses with Back to Street

RM, Medium Density - RL, Low Density Residential - CG, General Commercial - PUD, Planned Unit Development

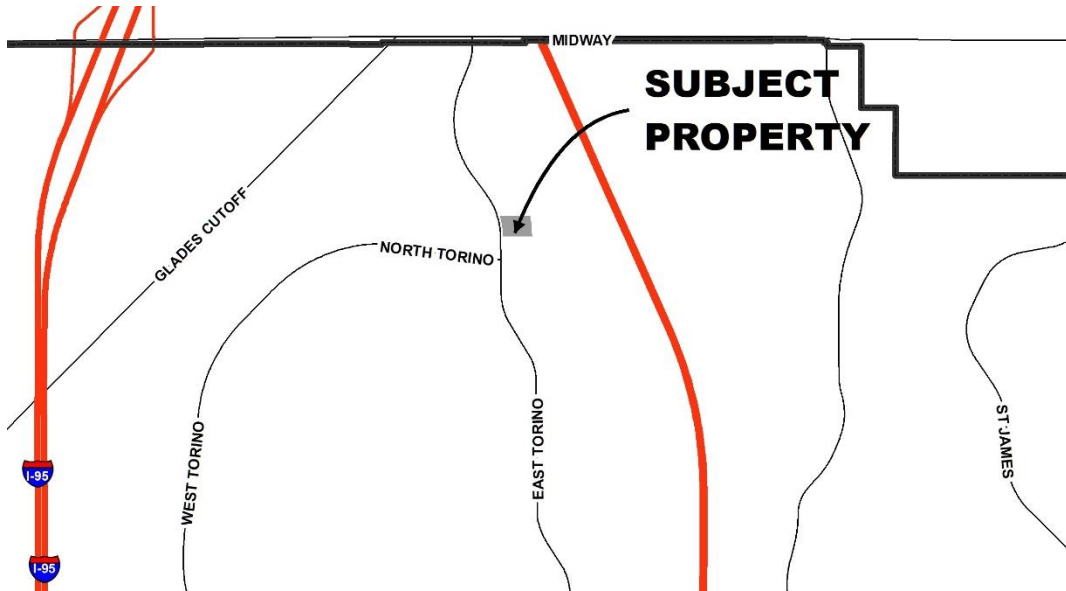


Exhibit 7. Location Map

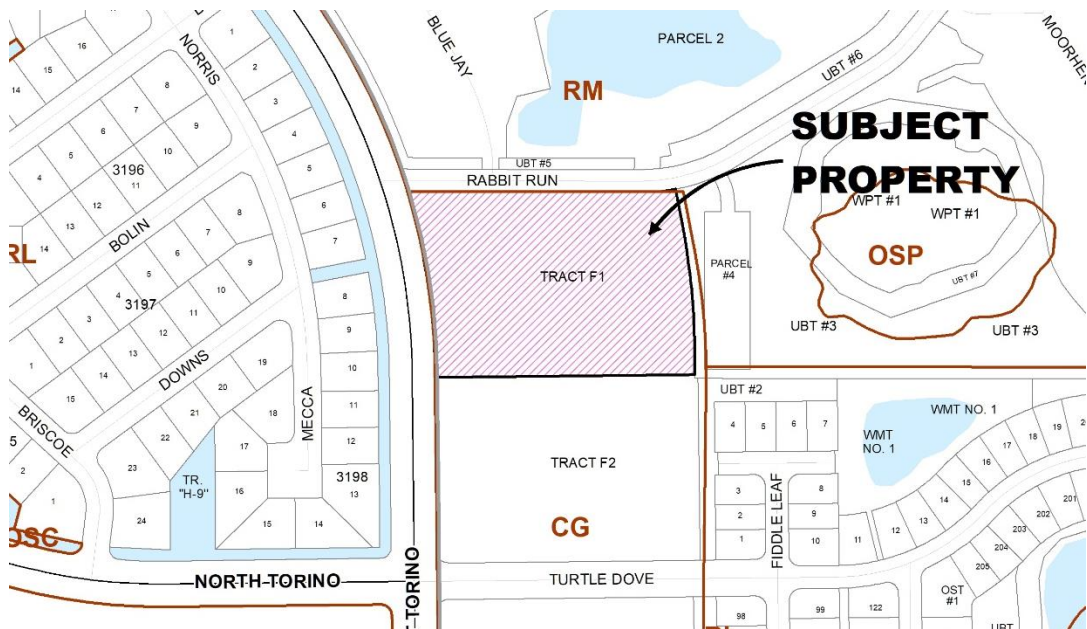
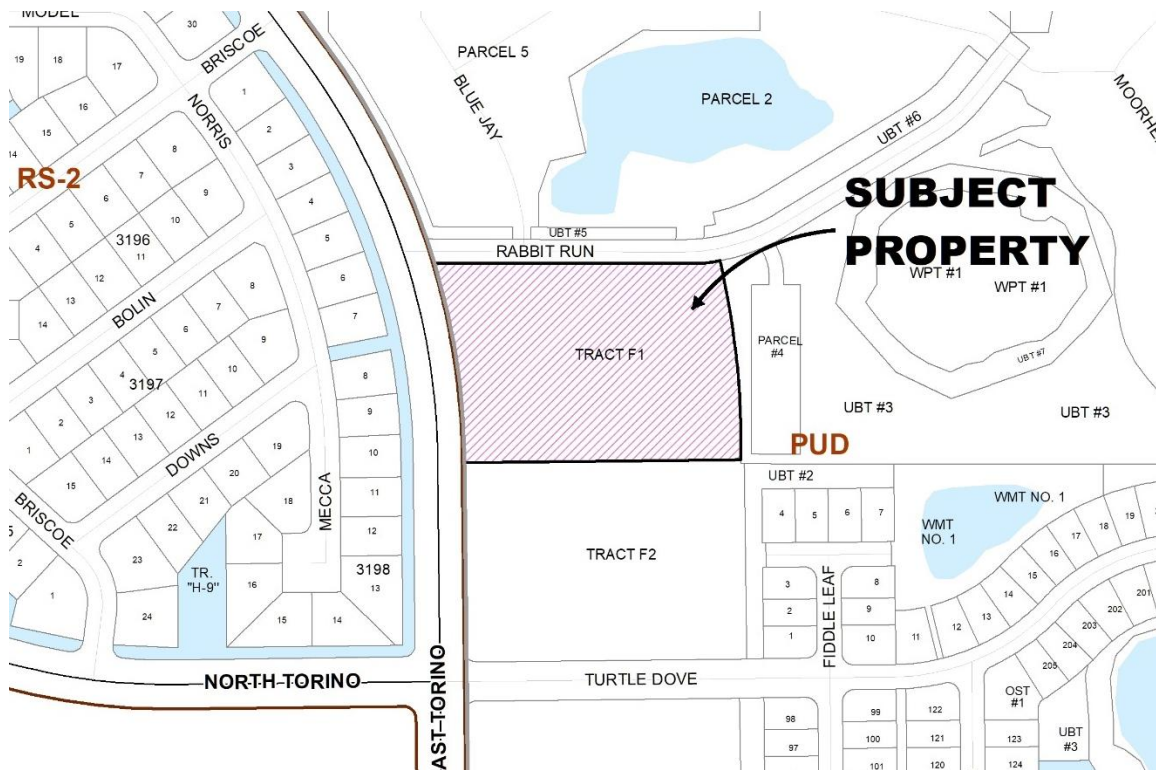


Exhibit 8. Land Use Map



Zoning Map

IMPACTS AND FINDINGS

Section 158.295 (B) of the Zoning Code establishes the duties of the Planning and Zoning Board in authorizing a variance. The Planning and Zoning Board may authorize the variance from the provisions of the Zoning Code as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. Pursuant to Section 158.296, a variance is authorized only for height, area, and size of the structure, yard size, building setback, lot size requirements, and other applicable development regulations, excluding use. To authorize a variance, the Planning and Zoning Board should consider the criteria listed under Section 158.295 (B) (1) through (7). The applicant's response to this criterion is attached to the application. Staff's review is provided below.

See the applicant's responses that are included in the Variance application.

Compatibility with variance criteria Section 158:295 (B).

- 1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
 - *Staff Findings: The applicant is proposing a large, 49,908 square foot building with a flat roof and no pitched or peaked roof elements. The building is 35 feet in height. There are no special conditions or circumstances that exist for this building. There are many buildings in the city that have flat roofs and also have peaked or pitched roof elements. The applicant is proposing a more Modern style building. The Citywide Design Standards, Section 5.4.1.1, promotes a more Traditional Florida Vernacular style with the requirement for peaked and pitched roof elements along at least 25 %*

of the front and sides of the building. The Citywide Design Standards have had this requirement since 1999.

- 2) That the special conditions and circumstances do not result from any action of the applicant.
 - *Staff Findings: See comment #1. The applicant is choosing to design a building with no peaked or pitched roof elements. If desired, a building with pitched or peaked roof elements could be designed.*
- 3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district.
 - *Staff Findings: See #1 and #2. There are many large commercial buildings with flat roofs – that also have peaked and pitched roof elements.*
- 4) That literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant.
 - *Staff Findings: See comment #1, and #2. There are many large commercial buildings with flat roofs – that also have peaked and pitched roof elements.*
- 5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 - *Staff Findings: See comment #1, #2, and # 3. The applicant’s request is to have no pitched or peaked roof elements on the building.*
- 6) That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
 - *Staff Findings: See comment #1, 2, and 3. There is a proposed Dollar General Store on the lot to the south of this property – and the proposed elevations show peaked and pitched roof elements.*
- 7) That there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.
 - *Staff Findings: Acknowledged.*

PLANNING AND ZONING BOARD ACTION OPTIONS

The Board may choose to approve, deny or table the proposed variance. If the Board finds that the variance application is consistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code (listed above), then the Board may:

- Motion to approve
- Motion to approve with conditions

If the Board finds that the variance application is inconsistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code, then the Board may:

- Motion to deny

Should the Board need further clarification or information from either the applicant and/or staff, the Board may:

- Motion to table or continue the hearing or review to a future meeting

(NOTE TO APPLICANTS: Any request for a variance that is denied by the Planning and Zoning Board may be appealed to the Board of Zoning Appeals. Appeal applications are made through the City Clerk's office and must be submitted within 15 days after the Planning and Zoning Board hearing).

LETTER OF JUSTIFICATION

Variance Application

Up on Top Volleyball

May 19, 2022

REQUEST

On behalf of the Petitioner, Engineering, Design, & Construction, Inc. (EDC) is requesting approval of a variance application for a project known as Up on Top Volleyball. This project is approximately 5.35 acres and the address is unassigned at this time. The petitioner is requesting relief from the City of Port St. Lucie’s roof design requirements, Section 5.4.1 of the Development Standards. The subject property is located at the southeast corner of NW Rabbit Run and NW East Torino Parkway.

Parcel ID	Address	Acres	FLU	Zoning
3312-501-0001-000-2	UNASSIGNED	5.35	CG	PUD

SITE CHARACTERISTICS & PROJECT HISTORY

The subject property is approximately 5.35 acres and is currently undeveloped.

A site plan application was submitted to the City on March 16, 2022 and was heard in SPRC on April 13, 2022. The subject property has an existing future land use (FLU) designation of Commercial General (CG) and lies in the Planned Unit Development (PUD) zoning district. The site plan is proposing a recreational volleyball facility of 46,000-sf on the southeast corner of NW Rabbit Run and NW East Torino Parkway.

North of Rabbit Run are (2) properties. To the Northwest is a 6.77-acre vacant property with a future land use (FLU) designation of Medium Density Residential (RM). This property is located in the Planned Unit Development (PUD) zoning district. To the northeast is the clubhouse for Sanctuary at Winterlakes apartment complex. The property has a FLU designation of RM and is located in the PUD zoning district.

To the east of the subject property is a 9.98-acre vacant property owned by the Winterlakes POA. This property has a FLU of RM and is located in the PUD zoning district. It does not appear that this property is able to be developed.

To the west of the subject property lies the 50-ft right-of-way of NW East Torino Parkway followed by a single-family residential community. This property has an existing future land use of Residential Low (RL) and lies in the Single-Family Residential (RS-2) zoning district.

The proposed recreational development is one that promotes active lifestyles by encouraging those living and working in the community to engage in physical activity.

VARIANCE REQUIREMENTS

Section 158.295 of the Port St. Lucie Zoning Code identifies the requirements for a Variance Submittal. Section 10.0.01 Architectural Elements of the City of Port St Lucie City Wide Design Standards identifies the number of required elements to be applied to the elevations and/or site based on the future land use of the subject parcel.

The applicant has taken into consideration the requirements as per Table 10.1 of the Design Standards – with the site’s future land use designation of CG. Therein, the table indicates that (5) architectural elements plus (1) additional element is required if parking is located in front of the building. Applicant has included (6) elements for Phase (2) as required and has included (6) elements for Phase (1), although only (3) were required for Phase (1), as noted in SPRC comments dated April 13, 2022.

The applicant is asking that the above be taken into consideration along with the criteria below as noted in section 158.295 of the City of Port St. Lucie Zoning Code when a determination is being made:

1. Please explain the special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

RESPONSE: The subject property is a corner parcel located on NW Rabbit Run and NW East Torino Parkway. The property fronting NW Rabbit Run totals 5.35 acres. The conceptual plan was designed to create an athletic center unlike any in the surrounding community. We feel this is specific to the land and community creating a special condition.

2. Please explain if these conditions are circumstances result from actions by the applicant.

RESPONSE: The subject property is a lot located at the southeast corner of NW Rabbit Run and NW East Torino Parkway just to the Southeast of an undeveloped parcel. The property fronting NW Rabbit Run totals 5.35 acres. The circumstances are not results from the actions of the applicant but rather from design requirements to accommodate the type of sport the facility accommodates (volleyball).

3. Please explain how granting the variance requested will not confer on the applicant special privilege that is denied by this chapter on other lands, building or structures in the same zoning.

RESPONSE: The subject property is a lot located at the southeast corner of NW Rabbit Run and NW East Torino Parkway just to the Southeast of an undeveloped parcel. The property fronting NW Rabbit Run totals 5.35 acres. The conceptual plan was designed to create an athletic center unlike any in the surrounding community. The roof design standard would prevent the use of the building and exterior to be used for the athletic purpose it is

designed for. Other buildings in the area have flat roofs but have an aesthetic feature (pitch) the applicant cannot utilize due to the desired function of the proposed structure. A pitched roof could block the ball's movement on exterior volleyball courts. We believe that the granting of this variance would not promote any special privileges.

4. Please explain how a literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant.

RESPONSE: There are similar flat roof commercial structures in the general area that can meet the architectural standard due to the type of business commencing. Without granting the architectural relief for this applicant, this unique business option for the community will not develop, thereby causing undue hardship.

5. Please illustrate and explain if the variance request is the minimum variance that will make possible for reasonable use of the land, building or structure.

RESPONSE: The variance request is the minimum variance possible for the type of business being proposed for the facility/development. The proposed relief from the pitched aesthetic roof element would allow for the architectural and business concept to thrive.

6. Please indicate how granting variance will be in harmony with the general intent and purpose of the chapter and that granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

RESPONSE: The granting of the variance will allow for an attractive and useful facility. The proposed variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

7. Please indicate that there will be full compliance with any additional comments and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits which the action for which variance is required shall be begun or completed, or both.

RESPONSE: Acknowledged.

Based on the above and attached information, the applicant respectfully requests approval of the proposed application.

\\server\EDC-Shared\EDC-2021\21-450 - Timothy Rouch - SLW Volleyball\ENGINEERING\Documents\Letters\Justification Letter 5-4-22 Variance.docx





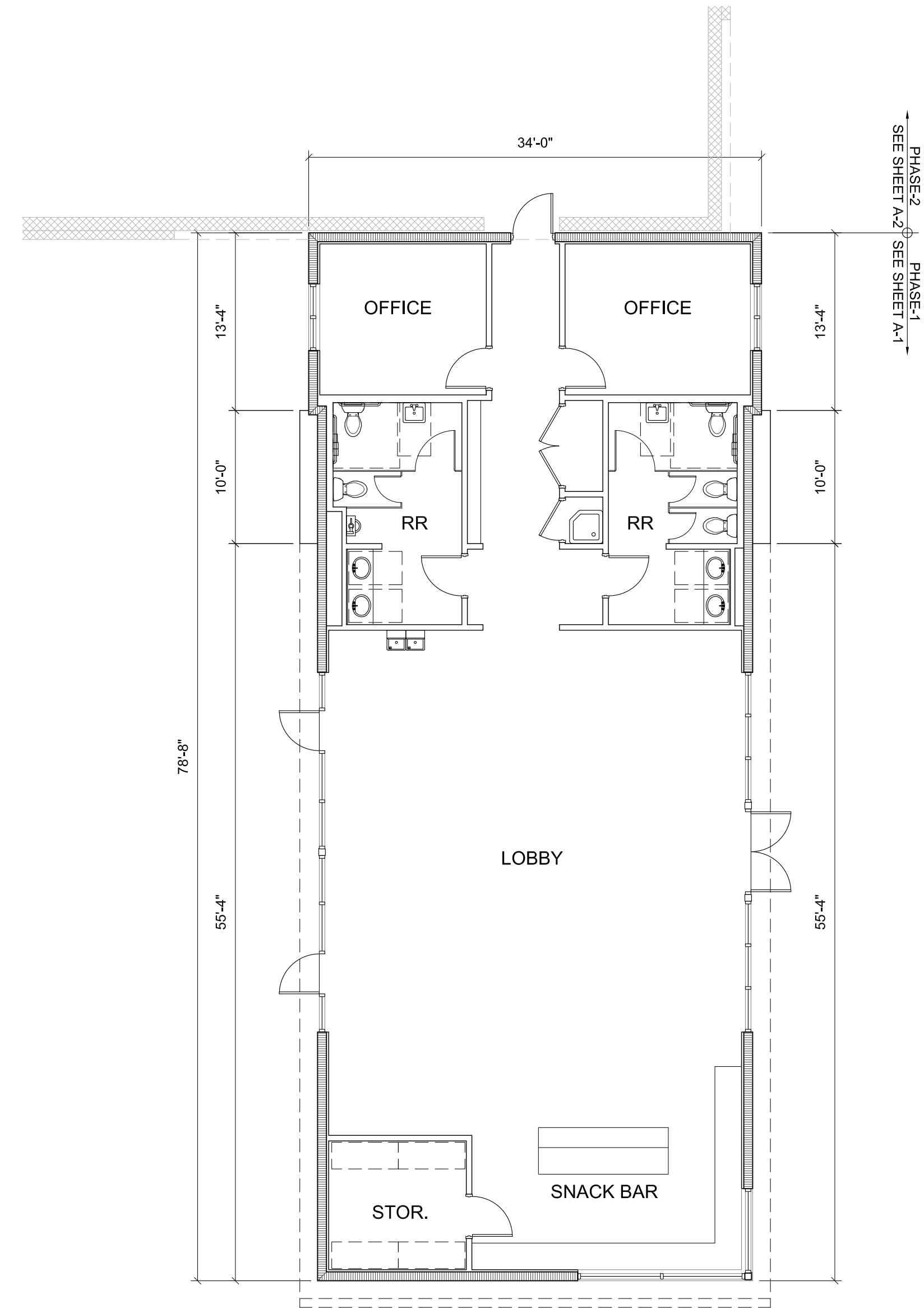








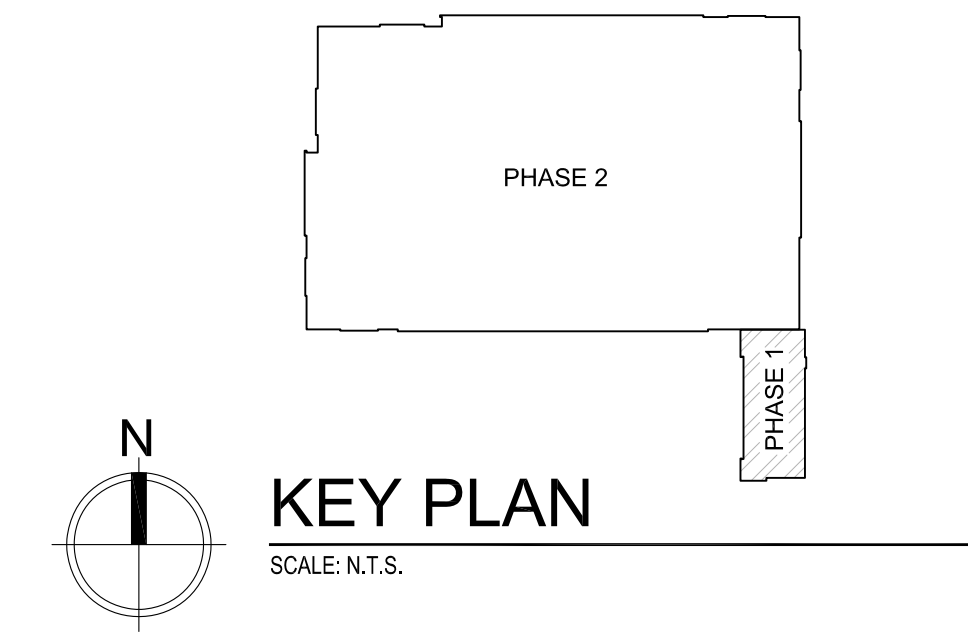




01 SCHEMATIC FLOOR PLAN - PHASE 1

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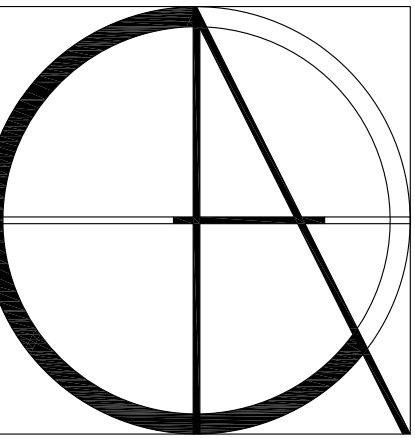
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PHASE 1 =	2,614 SF
PHASE 2 =	43,294 SF
TOTAL =	45,908 SF



KEY PLAN

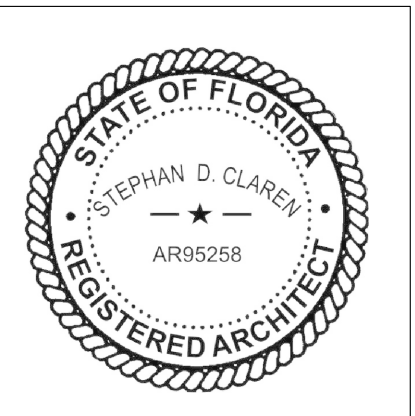
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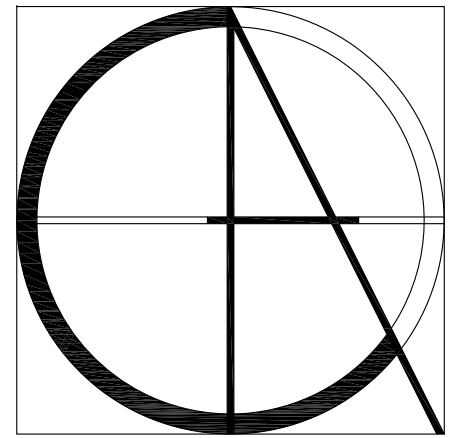
Claren Architecture + Design, Inc.
 AA26002865
 6400 CONGRESS AVE. SUITE 2150
 BOCA RATON, FL 33487
 561.961.4884
 www.clarenarchitecture.com

New Building for:
Up On Top Volleyball Academy
 Port St. Lucie, FL 34986



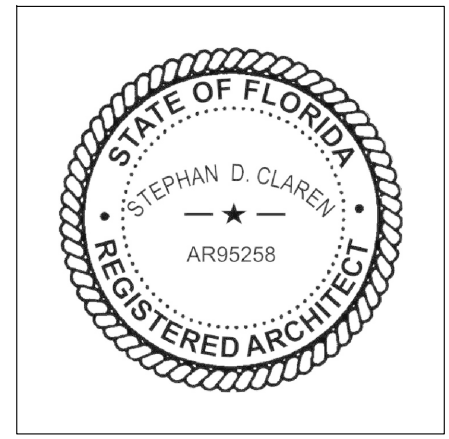
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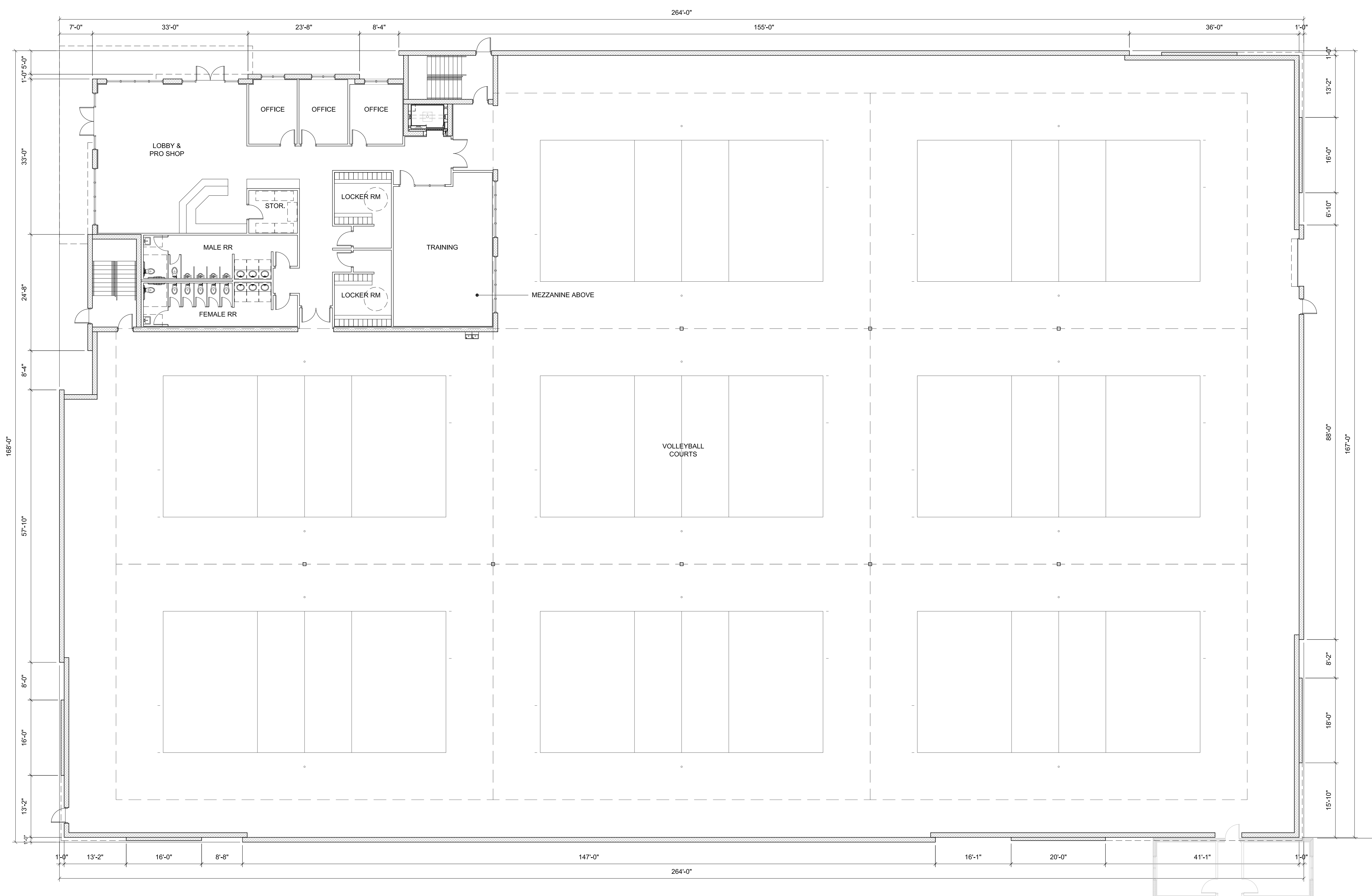
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New Building for:
Up On Top Volleyball Academy
 Port St. Lucie, FL 34986

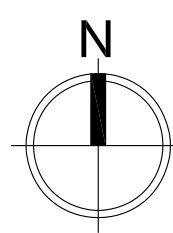


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DATE	3-7-2022
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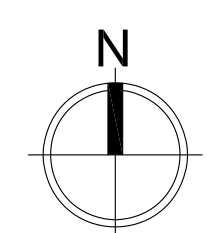
A-2
 COPYRIGHT 2022



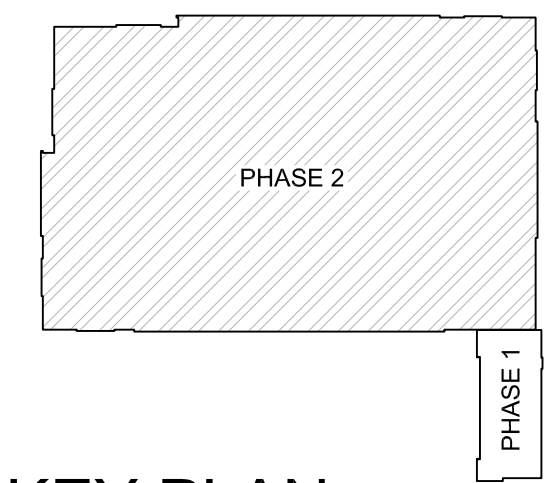
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 SCALE: 3/32" = 1'-0"



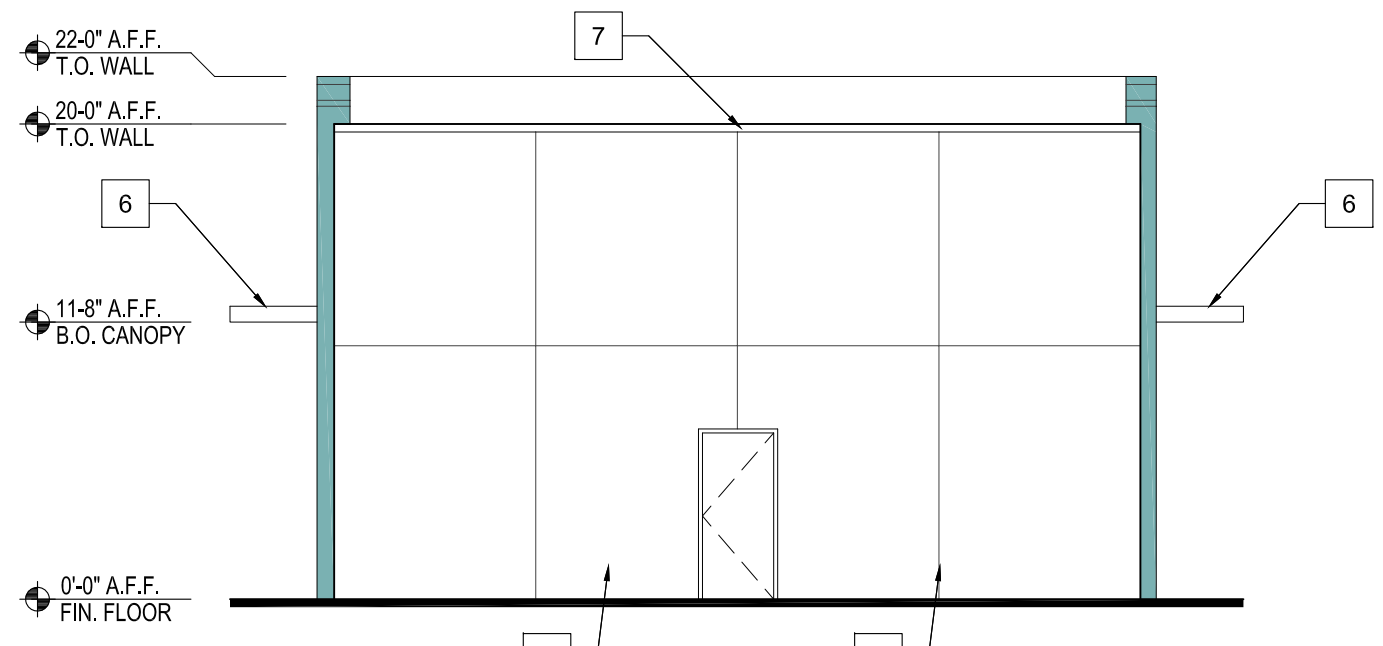
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PHASE 1 =	2,614 SF
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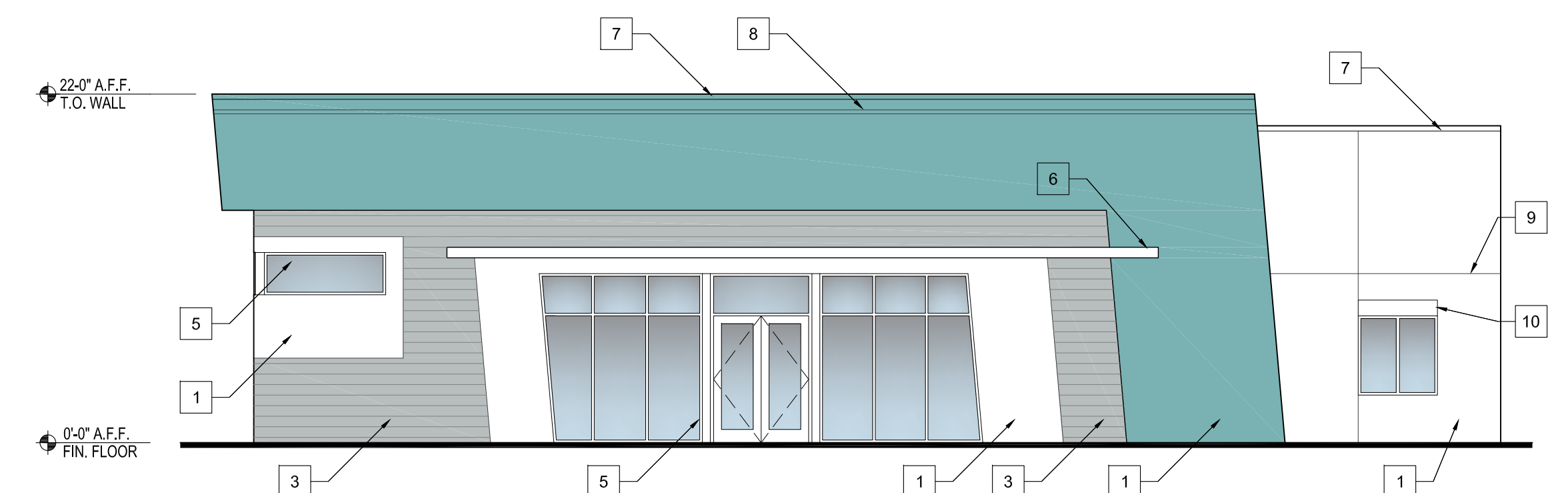
KEY PLAN
 SCALE: N.T.S.



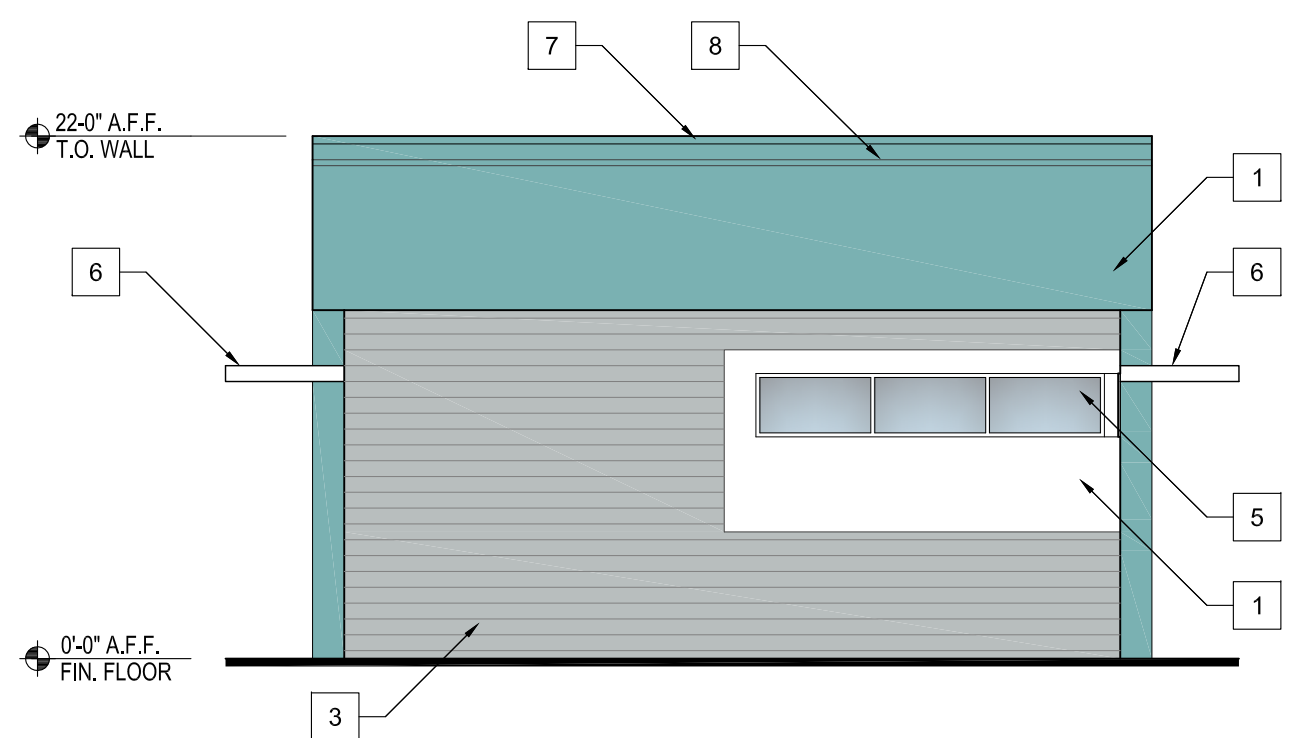
CITY PROJECT #:	PSLUSD PROJECT #:
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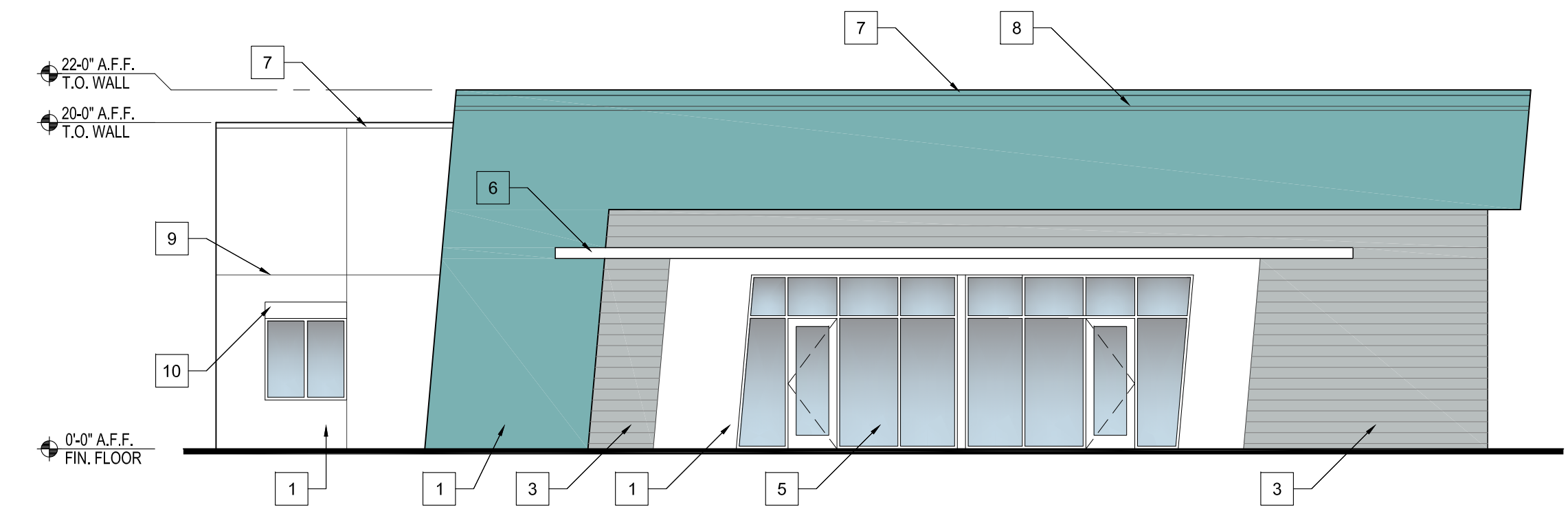
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SCALE: 1/8" = 1'-0"



02 EAST ELEVATION
SCALE: 1/8" = 1'-0"



03 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



04 WEST ELEVATION
SCALE: 1/8" = 1'-0"

MATERIAL LEGEND

- 1 SMOOTH STUCCO FINISH
- 2 FINE SAND TEXTURE COATING
- 3 STUCCO W/ HORIZONTAL REVEALS @ 8" O.C.
- 4 FINE SAND TEXTURE COATING W/ HORIZONTAL REVEALS @ 8" O.C.
- 5 IMPACT RATED ALUM. STOREFRONT SYSTEM
- 6 ALUMINUM CANOPY
- 7 ALUMINUM COPING
- 8 HORIZONTAL BAND
- 9 STUCCO REVEAL
- 10 RAISED STUCCO CORNICE
- 11 3/4" W X 3/4" D "V" JOINT
- 12 12" W X 3/4" D HORIZONTAL BAND
- 13 8" W X 3/4" D HORIZONTAL BAND
- 14 IMPACT RATED ROLL UP DOOR
- 15 IMPACT RATED HOLLOW METAL DOOR
- 16 PRE-FINISHED ALUM. DOWNSPOUT & COLLECTOR HEAD
- 17 OVERFLOW SCUPPER

COLOR LEGEND

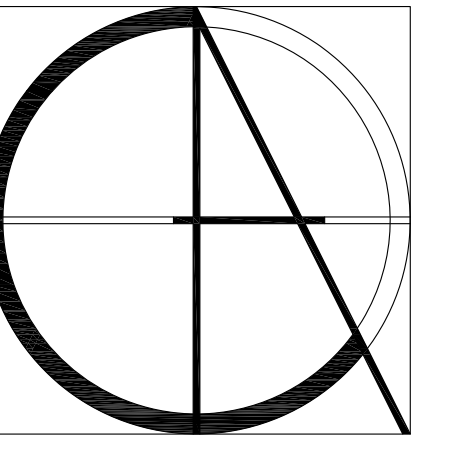
- SW 7008 - ALABASTER
- SW 6223 - SAMOVAR SILVER
- SW 9143 - CADET
- SW 6486 - REFLECTING POOL
- SW 6223 - SAMOVAR SILVER W/ HORIZONTAL GROOVES @ 8" O.C.

ARCHITECTURAL ELEMENTS PROVIDED
PER CHAPTER 10 OF THE CITYWIDE DESIGN CENTER

1. STUCCO W/ HORIZONTAL GROOVE LINE PATTERN
2. BRICK PAVERS
3. USABLE OPEN SPACE
4. CANOPIES
5. EXPRESSION LINES THROUGHOUT
6. RAISED CORNICE OVER DOORS WINDOWS & TOPS OF PARAPETS

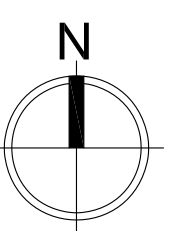
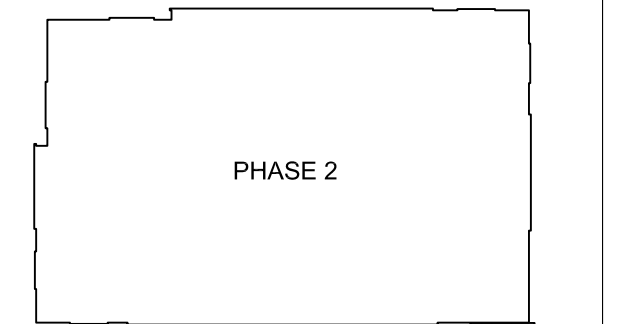
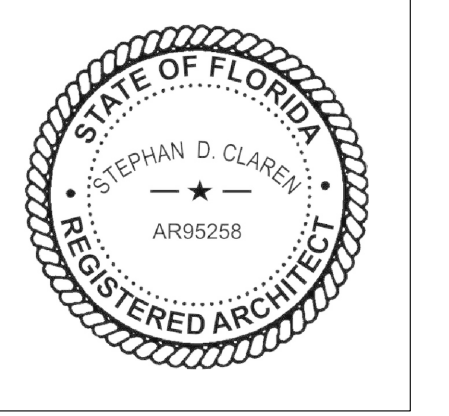
SIGNAGE NOTE

SIGNAGE SHALL BE REVIEWED AND APPROVED SEPARATELY FROM SITE PLAN



Claren Architecture + Design, Inc.
AA26002865
6400 CONGRESS AVE. SUITE 2150
BOCA RATON, FL 33487
561.961.4884
www.clarenarchitecture.com

New Building for:
Up On Top Volleyball Academy
Port St. Lucie, FL 34986

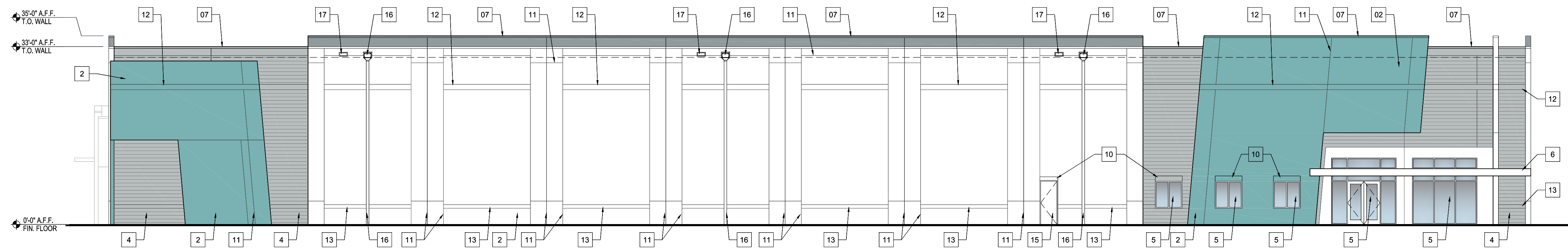


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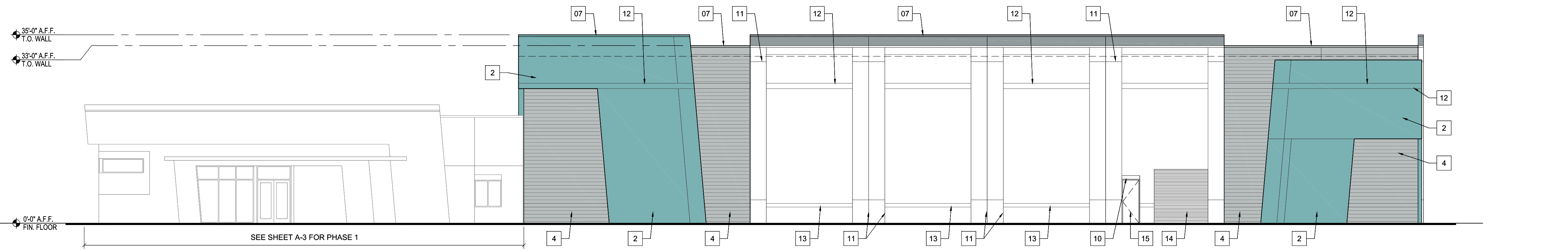
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PROJECT #	22-005
DATE	3-7-2022
REV #	DATE
SHEET #	

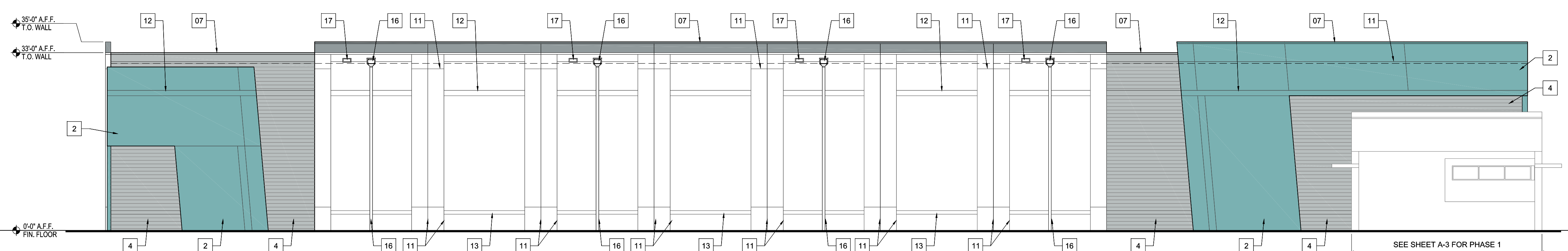
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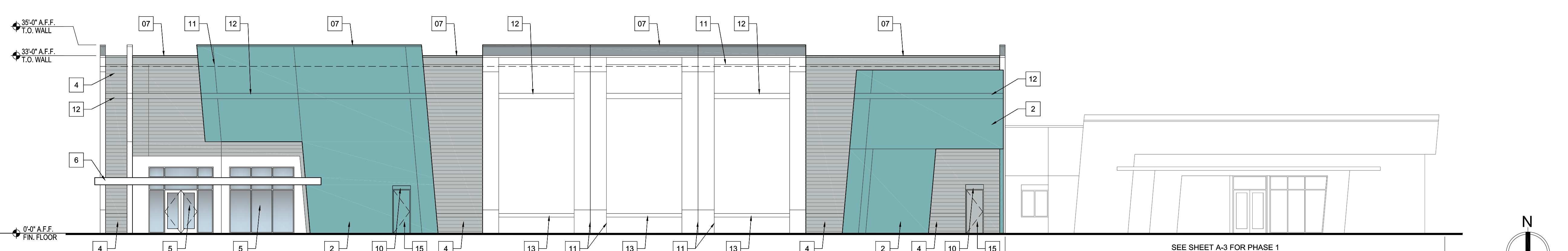
01 NORTH ELEVATION
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SCALE: 3/32" = 1'-0"



03 SOUTH ELEVATION
SCALE: 3/32" = 1'-0"



04 WEST ELEVATION
SCALE: 3/32" = 1'-0"

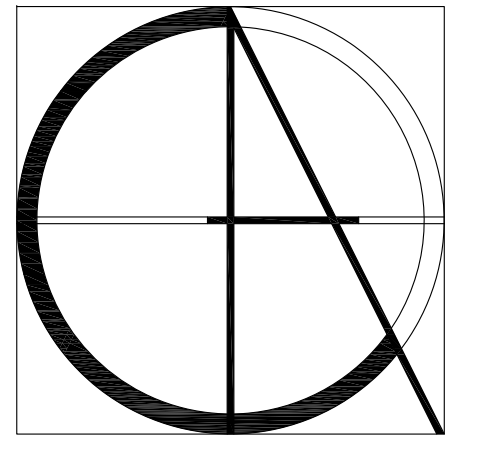
MATERIAL LEGEND	
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3	STUCCO W/ HORIZONTAL REVEALS @ 8" O.C.
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17	OVERFLOW SCUPPER

COLOR LEGEND	
[White Box]	SW 7008 - ALABASTER
[Grey Box]	SW 6223 - SAMOVAR SILVER
[Dark Grey Box]	SW 9143 - CADET
[Teal Box]	SW 6486 - REFLECTING POOL
[Striped Grey Box]	SW 6223 - SAMOVAR SILVER W/ HORIZONTAL GROOVES @ 8" O.C.

ARCHITECTURAL ELEMENTS PROVIDED PER CHAPTER 10 OF THE CITYWIDE DESIGN CENTER	
1.	STUCCO W/ HORIZONTAL GROOVE LINE PATTERN
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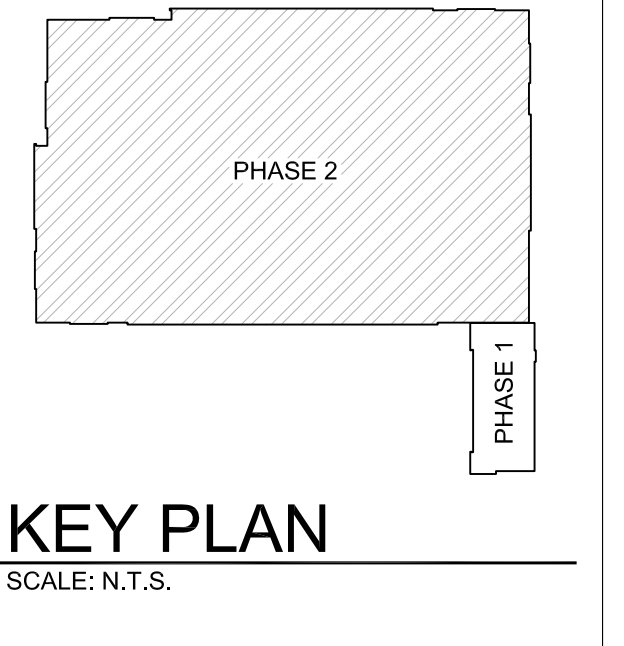
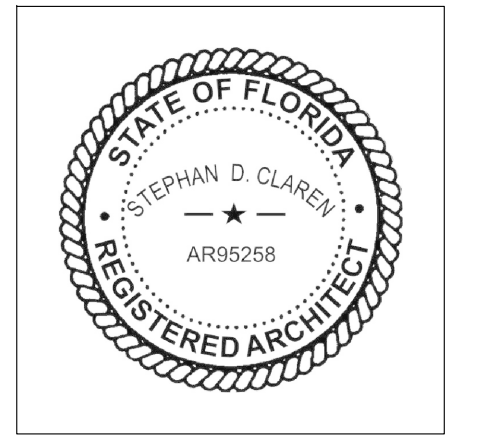
SIGNAGE NOTE

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New Building for:
Up On Top Volleyball Academy
Port St. Lucie, FL 34986



KEY PLAN
SCALE: N.T.S.

CITY PROJECT #:	PSLUSD PROJECT #:
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PROJECT #	22-005
DATE	3-7-2022
REV #	DATE
SHEET #	

A-4

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P22-178

Up On Top Volleyball

TYPE STATUS BUILDING TYPE
VAR SUBMITTED COMM

ASSIGNED TO
Holly Price

ADDRESS PARCEL #
NW Rabbit Run

SECTION BLOCK LOT
Winterlakes Tr F Replat

LEGAL DESCRIPTION
WINTERLAKES TRACT F REPLAT (PB 58-22) TRACT F1 (5.35 AC) (OR 2909-2466)

SITE LOCATION
Corner of NW E Torino Parkway and NW Rabbit Run

CURRENT LANDUSE PROPOSED LANDUSE CURRENT ZONING PROPOSED ZONING
CG PUD

ACREAGE NON-RESIDENTIAL SQ. FOOTAGE NO. OF RESIDENTIAL UNITS
5.35

NO. OF LOTS OR TRACTS NO. OF SHEETS IN PLAT
0 0

UTILITY PROVIDER

DESCRIBE REQUEST
Variance filing to request relief from architectural requirement for roof element(s)

Primary Contact Email

patriciasesta@edc-inc.com

AGENT/APPLICANT

FIRST NAME			LAST NAME		
Bradley			Currie		
ADDRESS					
10250 SW Village Parkway: Suite 201					
CITY	STATE		ZIP		
Port St. Lucie	FL		34987		
EMAIL			PHONE		
bradcurrie@edc-inc.com			7724622455		

PROPERTY OWNER

FIRST NAME			LAST NAME		
ADDRESS					
CITY	STATE		ZIP		
EMAIL			PHONE		

AUTHORIZED SIGNATORY OF CORPORATION

FIRST NAME			LAST NAME		
ADDRESS					
CITY	STATE		ZIP		
EMAIL			PHONE		

PROJECT ARCHITECT/ENGINEER

FIRST NAME			LAST NAME		
ADDRESS					
CITY	STATE		ZIP		
EMAIL			PHONE		

UP ON TOP VOLLEYBALL RECREATION FACILITY

Variance

Project: P22-178

Planning and Zoning Board Meeting

Holly F. Price, AICP, Senior Planner

July 5, 2022 Meeting

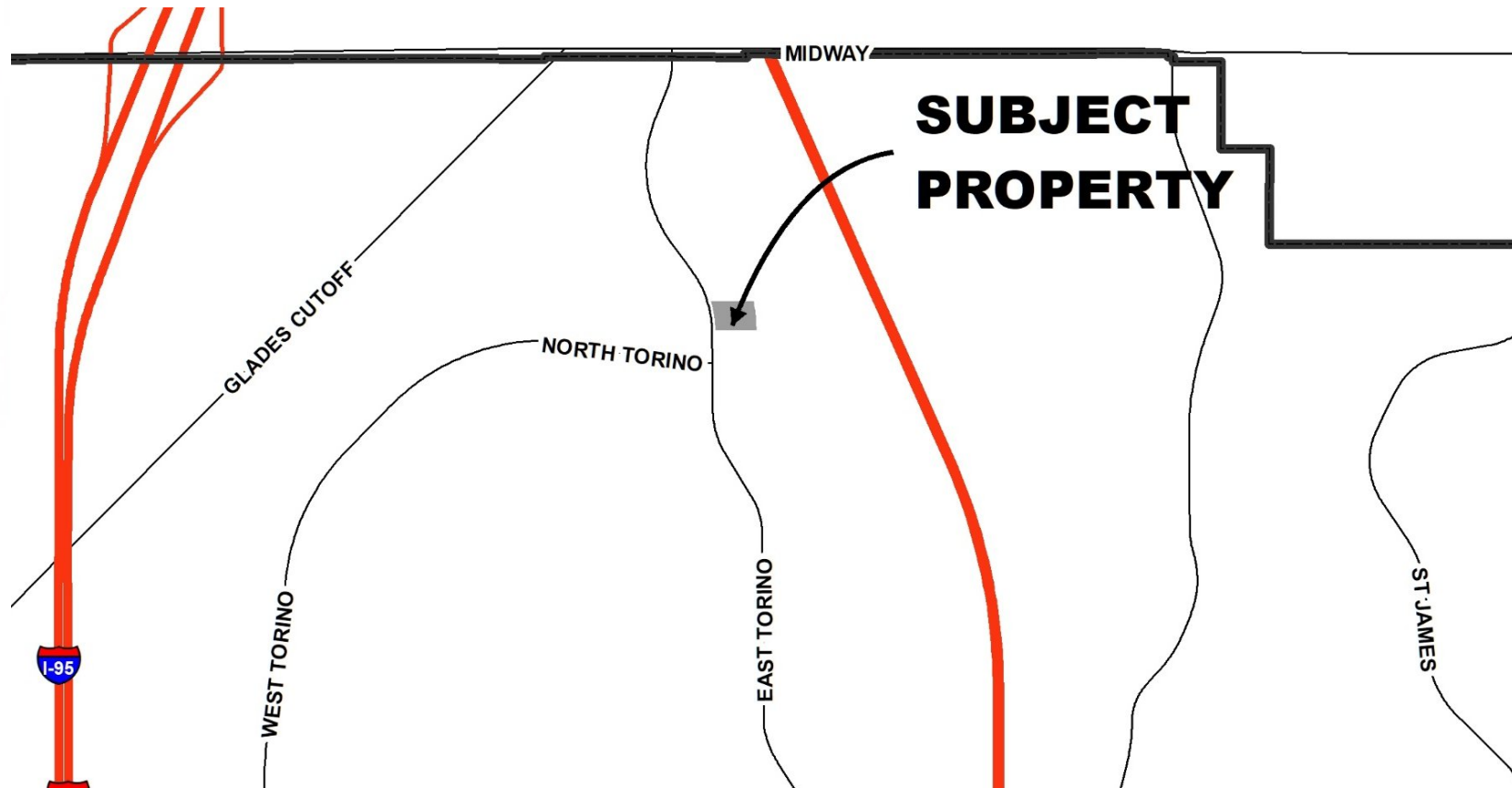


REQUESTED VARIANCE

- This application is requesting approval of a variance to the Citywide Design Standards, Section 5.4.1.1.
- The applicant is requesting a variance to eliminate the requirement to have peaked or pitched roof elements on the building.
- Design Standards require for buildings with flat roofs that peaked or pitched roof elements shall extend at least 25% of the length of the front and two sides of a building located on a property having a General Commercial (CG) future land use designation.
- The property is proposed to be developed as a privately-owned sports facility for playing volleyball. The Up On Top Volleyball Site Plan (P22-107) is currently under review.



LOCATION MAP

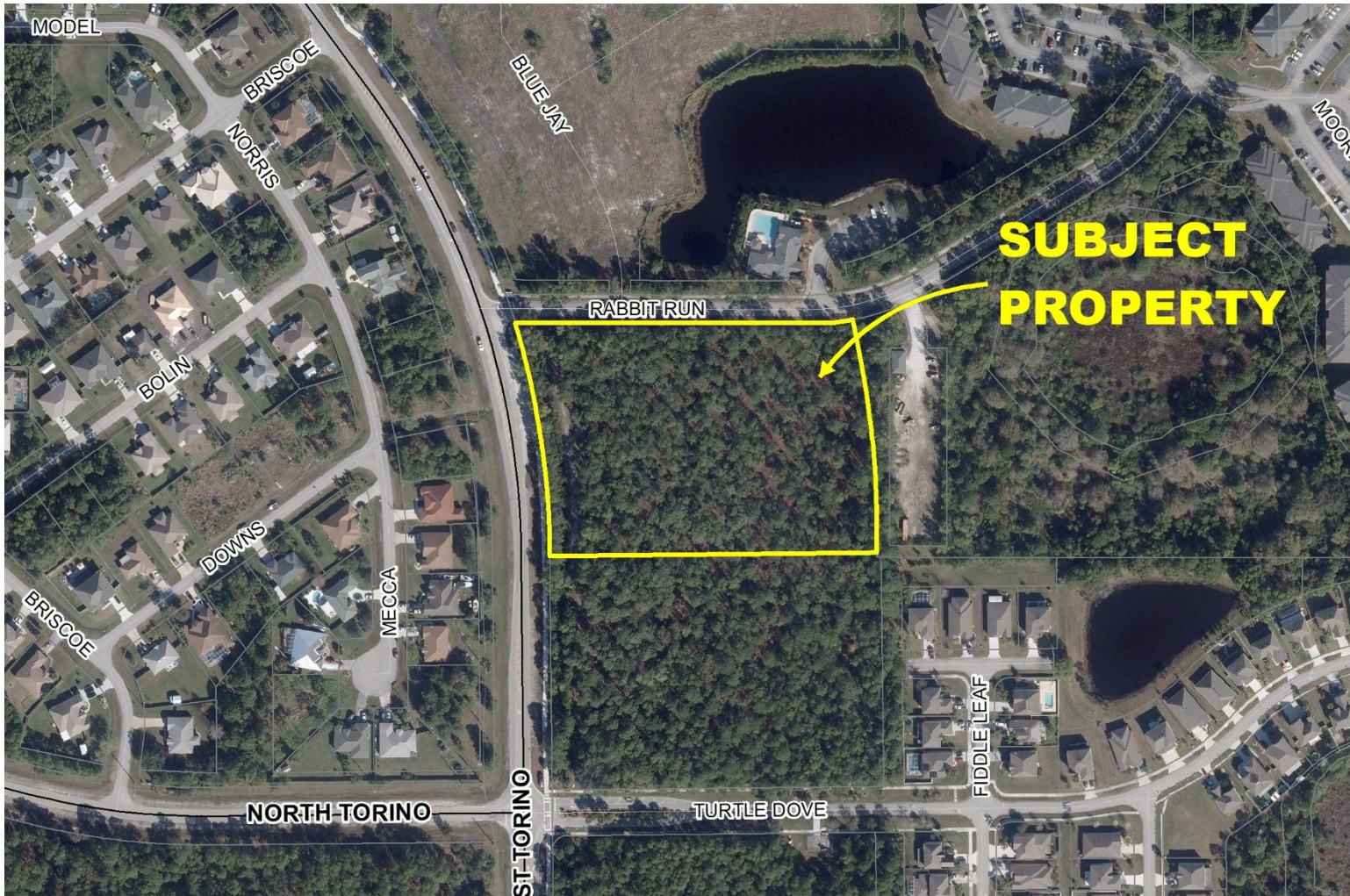


BACKGROUND INFORMATION

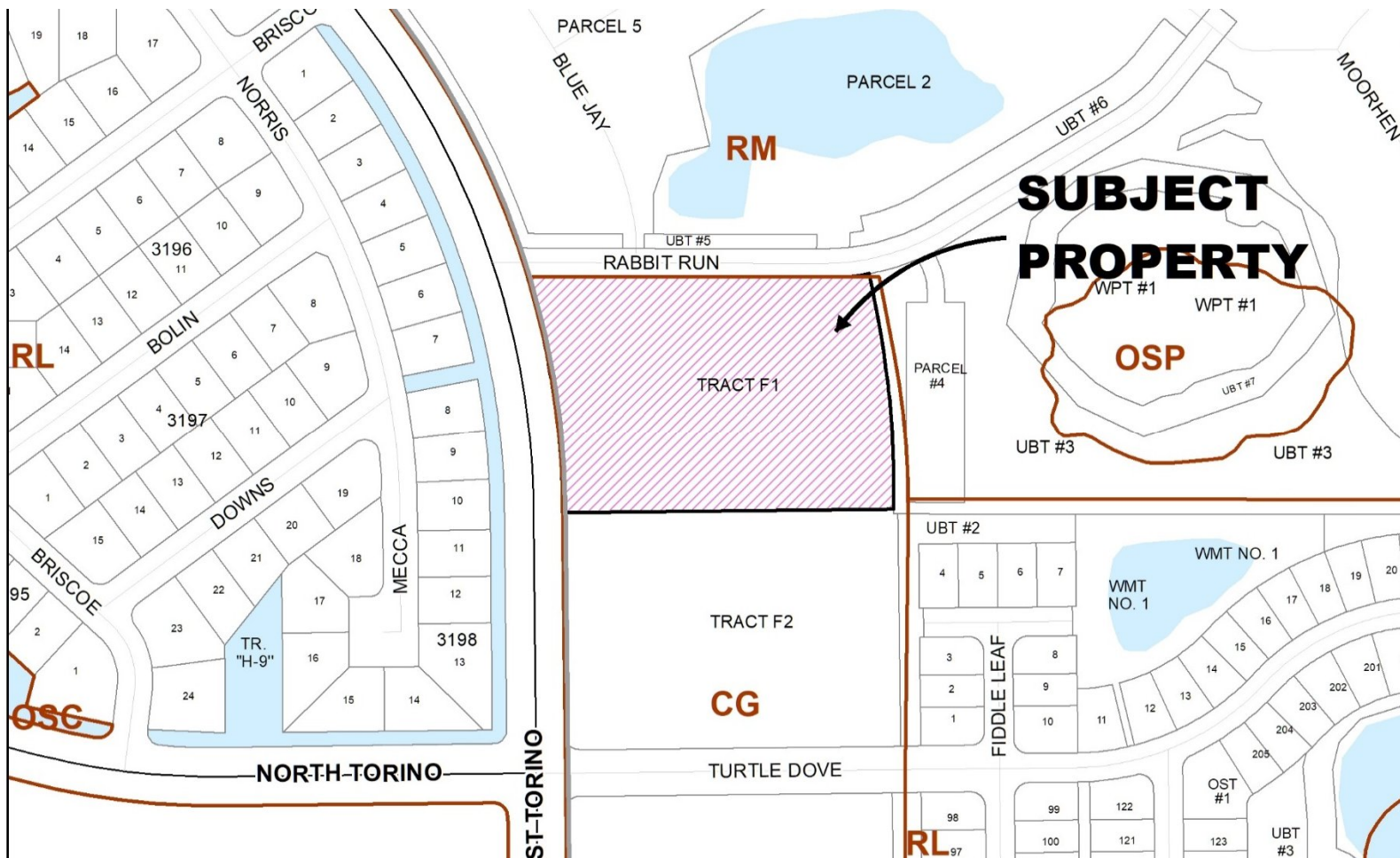
- Applicant: Brad Currie, Engineering, Design & Construction (EDC)
- Owner: Kodak Partners
- Location: SE Corner of NW East Torino Parkway and NW Rabbit Run
- Property Size: 5.35 acres
- Neighbor Comments: None
- Future Land Use: CG (General Commercial)
- Zoning: PUD (Planned Unit Development)



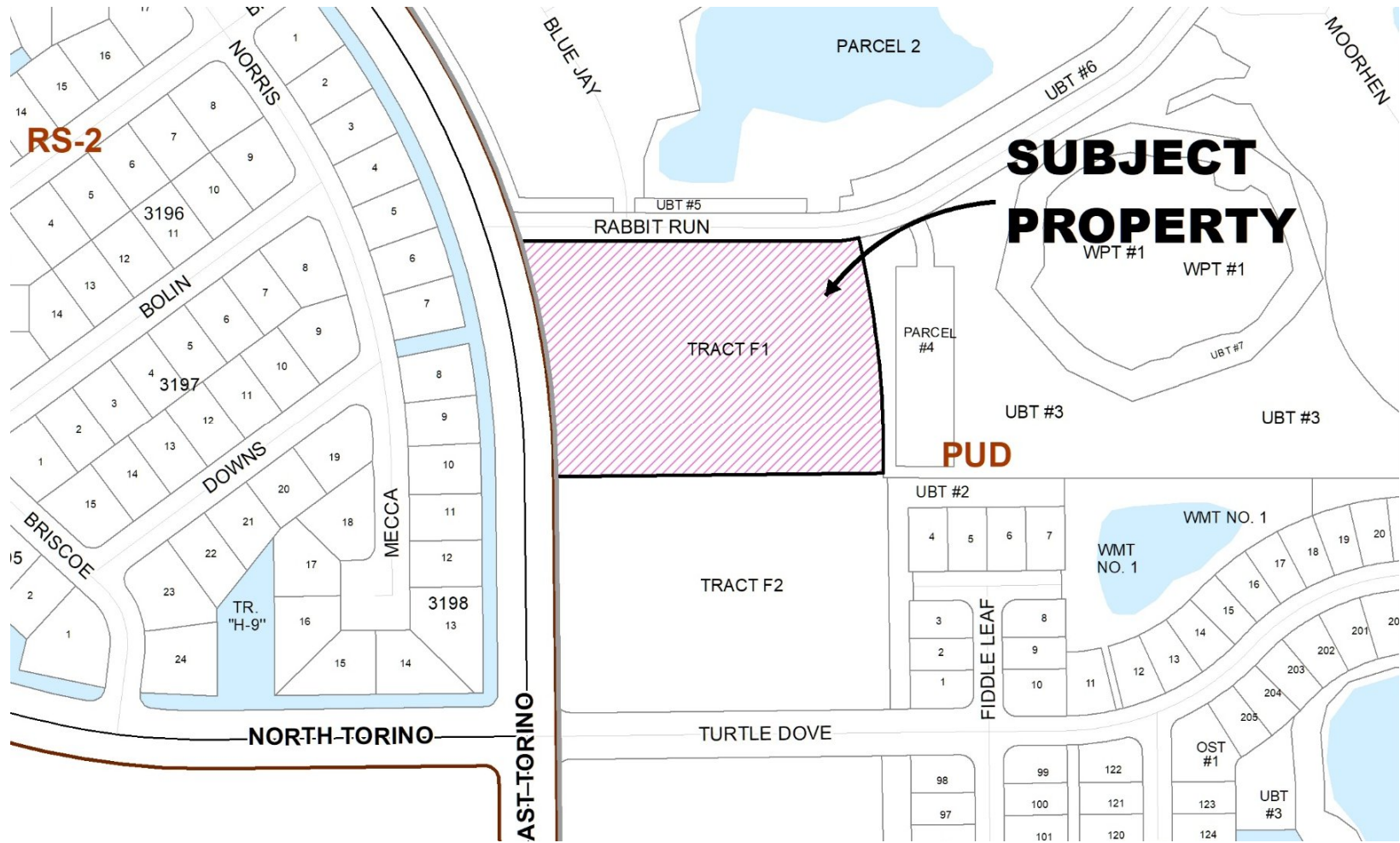
AERIAL MAP



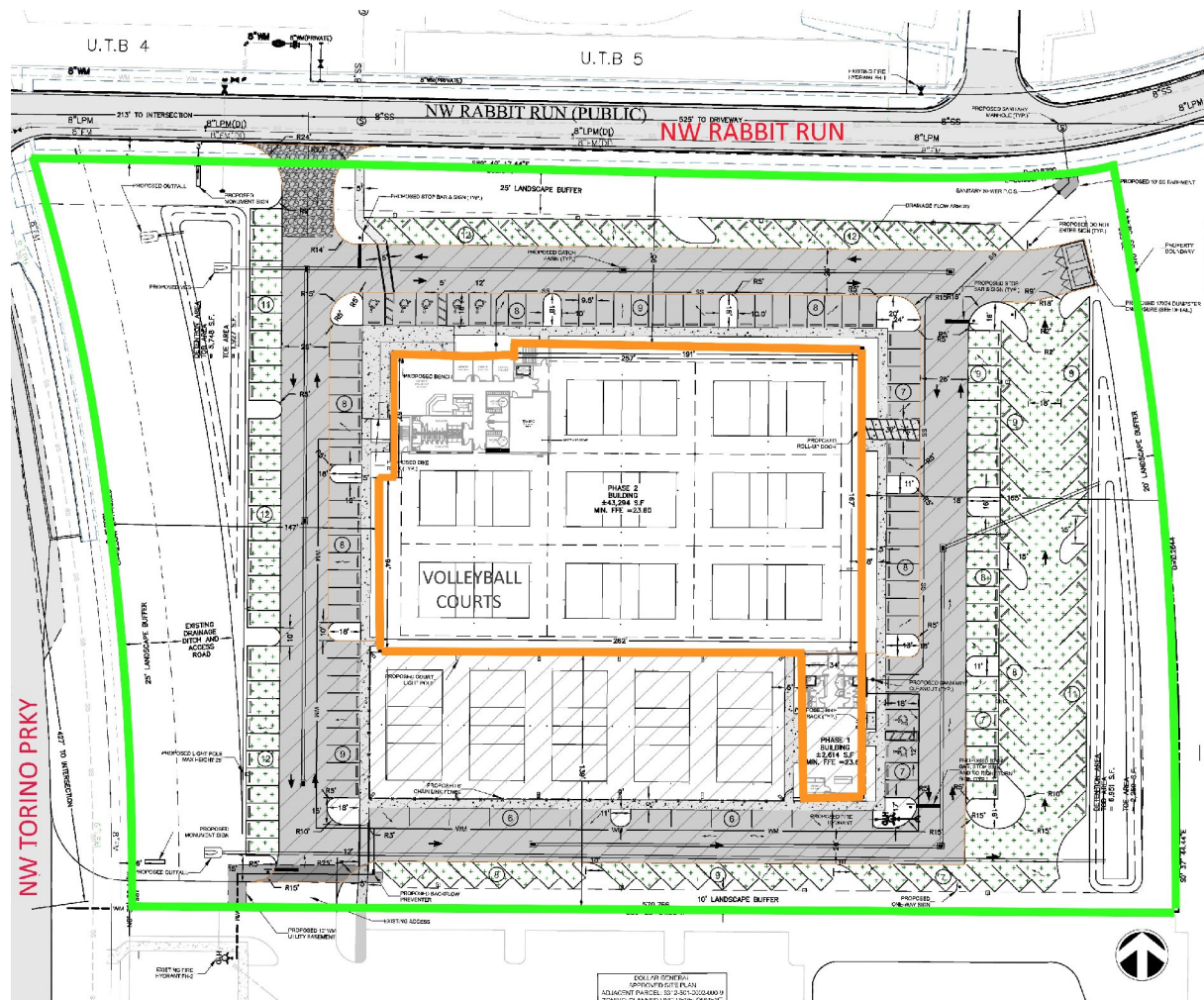
FUTURE LAND USE MAP



ZONING MAP



PROPOSED SITE PLAN



PROPOSED ELEVATIONS

North and West Sides



PROPOSED ELEVATIONS

West and South Sides



PROPOSED ELEVATIONS

North and West Main Entrance



EXAMPLE: PEAKED AND PITCH ROOF ELEMENTS



FINDINGS

- There are no special conditions or circumstances that exist for this building.
- The Citywide Design Standards, Section 5.4.1.1, promote a more Traditional Florida Vernacular style with the requirement for peaked and pitched roof elements along at least 25 % of the front and sides of the building.
- The applicant is proposing a Modern style building.
- The applicant is choosing to design a building with no peaked or pitched roof elements.
- The applicant is proposing a large, 49,908 square foot building with a flat roof and no pitched or peaked roof elements.
- There are many buildings in the city that have flat roofs and also have peaked or pitched roof elements.
- The Citywide Design Standards have had this requirement since 1999.



QUESTIONS OR COMMENTS?

How does the Planning and Zoning Board wish to address the applicant's request to eliminate the requirement to provide pitched and peaked roof element on the proposed building?

PLANNING AND ZONING BOARD ACTION OPTIONS:

- Make a motion to approve
- Make a motion to approve with conditions
- Make a motion to deny
- Make a motion to table



